

**BIRMINGHAM CITY COMMISSION AGENDA
DECEMBER 18, 2023
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.**

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, Mayor

II. ROLL CALL

Alexandria Bingham, City Clerk

III. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS, INTRODUCTION OF GUESTS AND ANNOUNCEMENTS.

INTRODUCTION OF GUESTS AND ANNOUNCEMENTS

- Sharon MacDonnell, State Representative – District 56
- Natalie Price, State Representative – District 5
- Charlie Cavell, County Commissioner – District 12

APPOINTMENTS

A. Board of Review

1. Guy DiPlacido

To appoint _____ to the Board of Review as a regular member to serve a three-year term to expire December 31, 2026.

To appoint _____ to the Board of Review as an alternate member to serve the remainder of a three-year term to expire December 31, 2025.

To appoint _____ to the Board of Review as an alternate member to serve a three-year term to expire December 31, 2026.

B. Board of Ethics

1. Judy Doyle

To appoint _____ as an alternate regular member to the Board of Ethics to serve a three-year term to expire June 30, 2026.

C. Multi-Modal Transportation Board

1. Z. Rosie Koul

To appoint _____ as a regular member to the Multi-Modal Transportation Board to serve the remainder of a three-year term to expire March 24, 2025.

POLITICAL SUBDIVISION FUNDING/DISTRIBUTION AGREEMENT

THIS POLITICAL SUBDIVISION FUNDING/DISTRIBUTION AGREEMENT (hereinafter "Agreement") is entered into and effective as of the _____ day of _____ 2023, by and among the City of Bloomfield Hills, City of Keego Harbor, City of Orchard Lake Village and City of Sylvan Lake, all of said parties being referred to collectively hereinafter as the "**POLITICAL SUBDIVISIONS**" of the 48th District Court, and is executed for the purpose of being attached as Exhibit A to the existing Court Funding Agreement, dated _____ between Bloomfield Township, the City of Birmingham and West Bloomfield Township (collectively hereinafter as the "**FUNDING UNITS**").

WHEREAS: The 48th District Court (hereinafter "48th DC") is comprised of the following jurisdictions:

- Bloomfield Township
- City of Birmingham
- City of Bloomfield Hills
- City of Keego Harbor
- City of Orchard Lake Village
- City of Sylvan Lake
- West Bloomfield Township;

WHEREAS: The POLITICAL SUBDIVISIONS recognize that MCL 600.8379, specifically permits jurisdictions making up a district court to agree to fund the court in a different manner than as outlined in MCL 600.8379;

WHEREAS: The POLITICAL SUBDIVISIONS recognize that the goal of this Agreement is to contribute to the operation of the 48th DC in a different manner than outlined in Michigan PA 236 in an effort to keep the 48th DC operating, while limiting the loss exposure of the FUNDING UNITS;

WHEREAS: The purpose of this Agreement is for the POLITICAL SUBDIVISIONS in the 48th DC to voluntarily agree to contribute their excess court revenues if the total of all 48th DC court revenues does not exceed the total of all 48th DC expenditures;

WHEREAS: At the end of each fiscal year, the 48th DC completes a financial audit and prepares an Annual Financial Report With Supplementary Information, which contains an accounting of all court expenditures and revenues received as a result of fines and costs assessed for the violation of laws in each of the seven jurisdictions that comprise the 48th District in Michigan;

NOW THEREFORE, BE IT RESOLVED that the POLITICAL SUBDIVISIONS agree to the following:

1. the event that the total of all 48th DC court revenues from all seven jurisdictions, including all fines and costs, other than those imposed for

the violation of a penal law of the state or ordered in a civil infraction action for the violation of a law of the state, does exceed the total of all 48th DC expenditures, the POLITICAL SUBDIVISIONS agree to receive the one-third statutory split of revenues as a result of fines and costs assessed for the violation of laws within their respective jurisdiction, to pay the statutory fees required, and to keep any revenues in excess of the statutory fees allocated to their respective jurisdiction, as established in Michigan PA 236, to the extent that sufficient funds are available for distribution after covering the court's expenses up to, but not exceeding the amount of the 48th DC's approved budget ;

2. In the event that the total of all 48th DC court revenues from all seven jurisdictions does not exceed the total of all 48th DC expenditures, the POLITICAL SUBDIVISIONS agree to contribute any end of year distributions that would have resulted from each POLITICAL SUBDIVISION'S share of receipts, after subtracting the statutory fees for operating costs, to the FUNDING UNITS to offset losses of the FUNDING UNITS for that fiscal year, up to, but not exceeding, the amount that expenses exceed revenues in a calendar year;
3. This Agreement shall be effective as of January 1, 2023 and shall continue on an annual basis unless terminated hereunder. Should the POLITICAL SUBDIVISIONS wish to terminate this Agreement, one or more of the POLITICAL SUBDIVISIONS shall provide written notice to the FUNDING UNITS signifying their intent to terminate no later than January 15 of the calendar year of the year that the POLITICAL SUBDIVISIONS are intending to terminate at its end, and then the Agreement shall continue in effect for the balance of said calendar year. After said calendar year, and after the financial reconciliation for that year, this Agreement shall terminate.
4. This Agreement shall be incorporated into the funding agreement between the City of Birmingham, Bloomfield Township and W. Bloomfield Township by the execution of an addendum to the existing funding agreement.

The undersigned POLITICAL SUBDIVISIONS, which are signatories to this Agreement, jointly and mutually agree to its terms and conditions.

City of Bloomfield Hills

Mayor

City Manager

Date: _____

Date: _____

City of Keego Harbor

Mayor

Date: _____

City Manager

Date: _____

City of Orchard Lake Village

Mayor

Date: _____

City Manager

Date: _____

City of Sylvan Lake

Mayor

Date: _____

City Manager

Date: _____

AGREEMENT**BETWEEN**

THE CITY OF BIRMINGHAM,
THE CHARTER TOWNSHIP OF BLOOMFIELD AND,
THE CHARTER TOWNSHIP OF WEST BLOOMFIELD

TO DEFINE THE SHARING OF EXPENSES OF MAINTAINING, FINANCING AND
OPERATING THE 48TH DISTRICT COURT AND TO DEFINE THE APPROPRIATION
OF FINES AND COSTS ASSESSED IN THE 48TH DISTRICT COURT

This Agreement is entered into by and between the City of Birmingham, a Michigan Municipal Corporation, 151 Martin Street, Birmingham, Michigan 48009, and the Charter Township of Bloomfield, a Michigan Municipal Corporation, 4200 Telegraph Road, Bloomfield Township, MI 48303 and the Charter Township of West Bloomfield, a Michigan Municipal Corporation, 4550 Walnut Lake Rd. West Bloomfield, MI 48323. The City of Birmingham, Charter Township of Bloomfield and Charter Township of West Bloomfield may be referred to individually as a "Party" and jointly as "Parties."

PURPOSE OF AGREEMENT. The Parties enter into this Agreement pursuant to the Urban Cooperation Act of 1967, 1967 Public Act 7, MCL 124.501 et seq., for the purpose of jointly exercising the powers, privileges and authority that the agencies share in common under the Revised Judicature Act of 1961, Act 236 of 1961, specifically, MCL 600.8104, to define and set forth the sharing of expenses of maintaining, financing and operating the 48th District Court and to define and set forth how the fines and costs assessed in the 48th District Court shall be appropriated among the District Funding Units and political subdivisions as provided by the Revised Judicature Act of 1961, Act 236 of 196, MCL 600.101 et seq.

RECITALS

WHEREAS, the 48th District Court consists of the political subdivisions of the City of Birmingham, the City of Bloomfield Hills, the Charter Township of Bloomfield, the Charter Township of West Bloomfield, the City of Orchard Lake Village, the City of Sylvan Lake, and the City of Keego Harbor, and is established as a district of the third class by Revised Judicature Act of 1961, Act 236 of 1961, specifically MCL 600.8123 (6); and

WHEREAS, the City of Birmingham, the Charter Township of Bloomfield and the Charter Township of West Bloomfield have mutually agreed to be the "District Funding Units" for the 48th District Court, responsible for the sharing of expenses of maintaining, financing and operating the 48th District Court pursuant to MCL 600.8104(3); and

WHEREAS, the Revised Judicature Act of 1961, Act 236 of 1961, MCL 600.8379, establishes how fines and costs assessed in the district court shall be appropriated among the District Funding Units and political subdivisions unless a distribution of fines and costs is agreed to differently than as provided by law; and

WHEREAS, there is a "1984 48th District Court Agreement," an "Addendum To 1984 48th District Court Agreement", a "1985 48th District Court Agreement" and a "First Amendment to the 1985 48th District Court Agreement" that provide the for the sharing of costs, expenses and revenues of the 48th District Court between the District Funding Units which agreements are outdated and need to be replaced; and

WHEREAS, the District Funding Units desire to revoke the prior 1984 Agreement, Addendum, 1985 48th District Court Agreement and First Amendment and enter into a new agreement to set forth and define the sharing of expenses of maintaining, financing and operating the 48th District Court between the District Funding Units and to set forth and define how fines and costs assessed in the 48th District Court shall be appropriated among the District Funding Units and political subdivisions.

AGREEMENT

NOW, THEREFORE, based upon the foregoing statements, the Parties agree to the following terms, conditions, representations, consideration and acknowledgements and mutually agree as follows:

1. **District Funding Units.** The City of Birmingham, the Charter Township of Bloomfield and the Charter Township of West Bloomfield shall be the "District Funding Units" for the 48th District Court responsible for the sharing of expenses of maintaining, financing and operating the 48th District Court pursuant to MCL 600.8104(3). The City of Bloomfield Hills, the City of Orchard Lake Village, the City of Sylvan Lake, and the City of Keego Harbor are not District Funding Units and are designated as "political subdivisions".
2. **Expenses.** The Parties agree that the expenses of maintaining, financing and operating the 48th District Court, including, but not limited to, approved capital expenditures and rent, shall be the responsibility of the three (3) District Funding Units, and shall be allocated among the District Funding Units in proportion to the number of cases arising from each District Funding Unit in relation to the total number of cases arising for all three (3) of the District Funding Units, from the year immediately prior to the current year. The District Funding Units and political subdivisions' respective local share contributions for the 48th District Court Indigent Counsel Program shall be paid as provided in the previously executed Interlocal Agreement between said entities.
3. **Distribution of Fines and Costs.**
 - 3.1. **Distribution to District Funding Units.** Despite that the fact that pursuant to MCL 600.8379(1)(c) the City of Birmingham and the Charter Township of West Bloomfield would each be entitled to receive and be paid 1/3 of all fines and costs imposed for violations of their respective Ordinances, except for those fines and costs imposed for violations of a penal law of the State or ordered in a civil infraction action for the violation of a law of this State, and pursuant to MCL 600.8379(1)(c) the Charter Township of Bloomfield would be entitled to receive all of the fines and costs imposed for violations of its Ordinances and 2/3 of the fines and costs imposed for violations of

the Ordinances of the City of Birmingham, Charter Township of West Bloomfield, City of Bloomfield Hills, City of Keego Harbor, City of Orchard Lake Village and City of Sylvan Lake, except for those fines and costs imposed for violations of a penal law of the State or ordered in a civil infraction action for the violation of a law of this State, the parties pursuant to MCL 600.8379(1)(d) hereby agree to a different distribution of fines and costs than that provided for in MCL 600.8379(1)(c). Except for the costs and revenues described in Section 3.3 of this Agreement, all fines and costs that the District Funding Units are collectively entitled to receive from the fines and costs collected by the 48th District Court, except those fines and costs required by statute to be paid to the State, shall be paid to the three (3) District Funding Units in proportion to the number of cases arising from each District Funding Unit in relation to the total number of cases arising from all three (3) of the District Funding Units, from the year immediately prior to the current year in which the disbursement is made.

- 3.2. Distribution to political subdivisions.** Fines and costs for the City of Bloomfield Hills, City of Keego Harbor, City of Orchard Lake Village and City of Sylvan Lake shall be distributed in accordance with MCL 600.8379(1)(c) to wit; each political subdivision shall receive 1/3 of the fines and costs imposed for violations of their respective Ordinances, other than those fines and costs imposed for the violation of the penal law of the State or ordered in a civil infraction action for the violation of a law of this State, and the other two-thirds (2/3) of the fines and costs that would be paid to the municipality where the guilty plea or civil infraction admission was entered or where the trial or civil infraction action hearing took place, which currently is Bloomfield Township, shall be distributed among the District Funding Units as provided in Section 3.1 of this Agreement.
- 3.3. Distribution of other costs.** Other costs collected by the 48th District Court for expenses incurred in relation to an incident including, but not limited to, expenses for an emergency response and expenses for prosecuting a person, or any cost authorized by law in which a defendant is required to directly reimburse a local unit of government, shall be paid directly to the political subdivision whose law was violated. Other revenues, besides those referred to above in this Subsection and the fines and costs referred to in Sections 3.1 and 3.2, such other revenues including, but not limited to, bond forfeitures, civil case fees and filing fees, marriage ceremony fees, garnishment fees, probation oversight fees and other probation fees and alcohol evaluation fees, shall distributed and paid to the three (3) District Funding Units in proportion to the number of cases arising from each District Funding Unit in relation to the total number of cases arising from all three (3) of the District Funding Units, from the year immediately prior to the current year in which the disbursement is made.
- 3.4** Each control unit shall pay to the 48th District Court its share of the approved allocation based upon the caseload percentage of the most recently audited year's numbers, in four (4) equal quarterly installments to be due and payable on or before January 1, April 1, July 1 and October 1 of each calendar year. For example, the 2022 budget would

have likely used the 2020 financial audit year for the purposes of estimating the allocation for the distribution of these funds on a preliminary basis.

3.5 True Up At Year's End. At the end of every fiscal year, an audit will be conducted at which time the revenues and expenditures for that fiscal year will be adjusted based on the actual caseload for each funding unit and reconciled against the actual money advanced.

3.6 Also following the completion of the audit, as certified, the District Court represented by its Chief Judge shall have quarterly meetings collectively with the control units to discuss Court finances and activities. Furthermore, the Chief Judge shall, within thirty (30) days of receipt of the certified audit of the immediate preceding year, shall present the audit at a public meeting of the legislative body of each control unit.

4. Effective date and duration of Agreement.

4.1 This Agreement shall be effective when executed by the three (3) District Funding Units with Resolutions passed by the governing bodies of each Party. The approval and terms of this Agreement shall be entered in the official minutes of the governing bodies of each Party. This Agreement may be executed in any number of counterparts and by different parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.

4.2 This Agreement shall remain in effect until cancelled or terminated by any of the Parties pursuant to the terms of the Agreement.

5. Assurances.

5.1. Responsibility for Claims. Each Party shall be responsible for any Claims made against that Party by a third party, and for the acts of its employees or agents arising under or related to this Agreement.

5.2. Responsibility for Attorney Fees and Costs. In any Claim that may arise from the performance of this Agreement, each Party shall seek its own legal representation and bear the costs associated with such representation, including judgments and attorney fees.

5.3. No Indemnification. Except as otherwise provided for by law, no Party shall have any right under this Agreement or under any other legal principle to be indemnified or reimbursed by the other Party or any of its agents in connection with any Claim.

5.4. Reservation of Rights. This Agreement does not, and is not intended to, impair, divest, delegate or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of the Parties. Nothing in this Agreement shall be construed as a waiver of governmental immunity for either Party.

5.5. Authorization and Completion of Agreement. The Parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each Party have legal authority to sign this Agreement and bind the Parties to the terms and conditions contained herein.

5.6. Compliance with Laws. Each Party shall comply with all federal, state, and local ordinances, regulations, administrative rules, and requirements applicable to its activities performed under this Agreement.

6. Termination or Cancellation of Agreement.

6.1. The term of this Agreement shall commence January 1, 2022 and shall continue in effect until terminated in accordance with the terms of this Agreement by one of the parties hereto. A party may terminate this Agreement by giving written notice to the other parties herein signifying their intent to opt out of this Agreement in writing during the month of January of the calendar year that the party is intending to opt out at its end, and then the Agreement shall continue in effect, including financial obligations, throughout the balance of said calendar year. After said calendar year, this Agreement shall cease existence.

6.2. If any Party attempts to terminate or cancel this Agreement they shall provide written notice to the chief executive officer of all other Parties to the addresses listed herein.

7. Delegation or Assignment. No Party may delegate or assign any obligations or rights under this Agreement.

8. No Third-Party Beneficiaries. Except as provided for the benefit of the Parties, this Agreement does not and is not intended to create any obligation, duty, promise, contractual right or benefit, right to indemnification, right to subrogation, and/or any other right in favor of any other person or entity.

9. No Implied Waiver. Absent a written waiver, no act, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.

10. Severability. If a court of competent jurisdiction finds a term or condition of this Agreement to be illegal or invalid, then the term or condition shall be deemed severed from this Agreement. All other terms, conditions, and provisions of this Agreement shall remain in full force.

11. Captions. The section and subsection numbers, captions, and any index to such sections and subsections contained in this Agreement are intended for the convenience of the reader and are not intended to have any substantive meaning. The numbers, captions, and indexes shall not be interpreted or be considered as part of this Agreement. Any use of the singular or plural, any reference to gender, and any use of the nominative, objective or possessive case in this Agreement shall be deemed the appropriate plurality, gender or possession as the context requires.

12. Notice. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first class U.S. mail postage prepaid, and addressed to the chief executive officer of each Party listed herein. Notice will be deemed given on the date when one of the following first occur:

- (i) the date of actual receipt;
- (ii) the next business day when notice is sent express delivery service or personal delivery;
- or
- (iii) three days after mailing first class or certified U.S. mail.

14. Governing Law. This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan. Except as otherwise required by law or court rule, any action brought to enforce, interpret, or decide any Claim arising under or related to this Agreement shall be brought in the 6th Judicial Circuit Court of the State of Michigan, the 48th District Court of the State of Michigan, or the United States District Court for the Eastern District of Michigan, Southern Division, as dictated by the applicable jurisdiction of the court. Except as otherwise required by law or court rule, venue is proper in the courts set forth above.

15. Entire Agreement.

15.1. This Agreement represents the entire agreement and understanding between the Parties regarding the sharing of expenses of maintaining, financing and operating the 48th District Court between the District Funding Units and how fines and costs assessed in the 48th District Court shall be appropriated among the District Funding Units and political subdivisions. This Agreement supersedes all other oral or written agreements between the Parties.

15.2. The language of this Agreement shall be construed as a whole according to its fair meaning, and not construed strictly for or against any Party.

IN WITNESS WHEREOF, the Parties have, by Resolution of their governing body, approved this Agreement and have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each Party have legal authority to sign this Agreement and bind the Parties to the terms and conditions contained herein. The Parties have executed this Agreement as of the day and year written below.

CITY OF BIRMINGHAM

By: 
Thomas M. Markus
Its: City Manager

Date: 12-13-2021

By: 
Alexandria Bingham
Its: City Clerk

Dated: 12-15-2021

CHARTER TOWNSHIP OF BLOOMFIELD

By: _____
Dani Walsh
Its: Supervisor

Date: _____

By: _____
Martin C. Brook
Its: Clerk

CHARTER TOWNSHIP OF WEST BLOOMFIELD

By: _____
Steven Kaplan
Its: Supervisor

Date: _____

By: _____
Debbie Binder
Its: Clerk

IN WITNESS WHEREOF, the Parties have, by Resolution of their governing body, approved this Agreement and have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each Party have legal authority to sign this Agreement and bind the Parties to the terms and conditions contained herein. The Parties have executed this Agreement as of the day and year written below.

CITY OF BIRMINGHAM

By: _____

Thomas M. Markus

Its: City Manager

Date: _____

By: _____

Alexandria Bingham

Its: City Clerk

Dated: _____

CHARTER TOWNSHIP OF BLOOMFIELD

By: 

Dani Walsh

Its: Supervisor

Date: 12-15-21

By: 

Martin C. Bropk

Its: Clerk

CHARTER TOWNSHIP OF WEST BLOOMFIELD

By: _____

Steven Kaplan

Its: Supervisor

Date: _____

By: _____

Debbie Binder

Its: Clerk

IN WITNESS WHEREOF, the Parties have, by Resolution of their governing body, approved this Agreement and have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each Party have legal authority to sign this Agreement and bind the Parties to the terms and conditions contained herein. The Parties have executed this Agreement as of the day and year written below.

CITY OF BIRMINGHAM

By: _____
Thomas M. Markus
Its: City Manager

Date: _____

By: _____
Alexandria Bingham
Its: City Clerk

Dated: _____

CHARTER TOWNSHIP OF BLOOMFIELD

By: _____
Dani Walsh
Its: Supervisor

Date: _____

By: _____
Martin C. Brook
Its: Clerk

CHARTER TOWNSHIP OF WEST BLOOMFIELD

By: Steven Kaplan
Steven Kaplan
Its: Supervisor

Date: 12/22/2021

By: Debbie Binder
Debbie Binder
Its: Clerk

ADDENDUM TO AGREEMENT

This Addendum to Agreement ("Addendum") is entered into as of February 1, 2023 by and between the City of Birmingham, a Michigan Municipal Corporation, 151 Martin Street, Birmingham, MI 48009, and the Charter Township of Bloomfield, a Michigan Municipal Corporation, 4200 Telegraph Road, Bloomfield Township, MI 48303 and the Charter Township of West Bloomfield, a Michigan Municipal Corporation, 4550 Walnut Lake Rd., West Bloomfield, MI 48323. The City of Birmingham, Charter Township of Bloomfield and Charter Township of West Bloomfield may be referred to individually as a "Party" and jointly as "Parties."

PURPOSE OF ADDENDUM. The Parties enter into this Addendum to acknowledge the existence of a Political Subdivision Funding/Distribution Agreement between the City of Bloomfield Hills, City of Keego Harbor, City of Orchard Lake Village and the City of Sylvan Lake with an effective date of January 1, 2023 ("Political Subdivision Agreement") and, once executed, to attach it to the 2021 Agreement between the Parties ("2021 Funding Unit Agreement") as the Political Subdivision Agreement relates to the 2021 Funding Unit Agreement subject matter regarding the sharing of expenses of maintaining, financing and operating the 48th District Court.

RECITALS

WHEREAS, subsequent to the Parties entering into the 2021 Funding Unit Agreement, the City of Bloomfield Hills, City of Keego Harbor, City of Orchard Lake Village, and the City of Sylvan Lake (collectively "Political Subdivisions") engaged in discussions, including with the Parties and the Court, regarding ongoing 48th District Court funding, budget and distribution issues.

WHEREAS, the Political Subdivisions came to an agreement regarding various funding and distribution matters and have entered into the Political Subdivision Agreement referenced above.

WHEREAS, while the Parties hereto are not parties to the Political Subdivision Agreement, the subject matter directly relates to the subject matter of the 2021 Funding Unit Agreement such that the Parties wish to incorporate the Political Subdivision Agreement to the 2021 Funding Unit Agreement by way of this Addendum.

NOW THEREFORE, the Parties hereby agree as follows:

AGREEMENT

1. **Incorporation of Political Subdivision Agreement.** The Parties hereby agree to incorporate the Political Subdivision Agreement as an Addendum to the 2021 Funding Unit Agreement. The Parties recognize that they are not parties to the Political Subdivision Agreement, nor do they have obligations or responsibilities thereunder.
2. **No Amendment.** The Parties agree that this Addendum and the attachment of the Political Subdivision Agreement does not amend or alter the 2021 Funding Unit Agreement in any way. Its inclusion is merely for reference and affirmation of its existence.

The Parties have, by Resolution of their governing body, approved this Addendum and have taken all actions and secured all approvals necessary to authorize and complete this Addendum. The persons signing this Addendum on behalf of each Party have legal authority to sign this Addendum and bind the Parties to the terms and conditions contained herein.

CITY OF BIRMINGHAM

By: _____

Its: Therese Longe
Mayor

Dated: _____

By: _____

Its: Thomas M. Markus
City Manager

Dated: _____

By: _____

Its: Alexandria Bingham
City Clerk

Dated: _____

**CHARTER TOWNSHIP OF WEST
BLOOMFIELD**

By: _____

Its: Steven Kaplan
Supervisor

Dated: _____

By: _____

Its: Debbie Binder
Clerk

Dated: _____

CHARTER TOWNSHIP OF BLOOMFIELD

By: _____

Its: Dani Walsh
Supervisor

Dated: _____

By: _____

Its: Martin C. Brook
Clerk

Dated: _____

Sylvan Lake Requests - Funding of 48th District Court

Thus far I have received a positive response (subject to approval of legal and elected bodies) from the cities of Bloomfield Hills, Keego Harbor, and Orchard Lake.

For the purposes of this discussion:

Funding Agreement (FA) is the Funding Agreement between Bloomfield Township, W. Bloomfield Township and Birmingham, executed in December 2021.

Distribution / Funding Agreement (FDA) is the proposed Distribution / Funding Agreement between the cities of Bloomfield Hills, Keego Harbor, Orchard Lake and Sylvan Lake.

Sylvan Lake has requested the following information (bullet points in black type below), responses are shown in blue type, and attachments are also provided.

- Agreement says it will be Exhibit A to some other agreement between the Funding Units (Funding Agreement ("FA"). We (I) don't have that document.

Please see attached Funding Agreement between Bloomfield Township, W. Bloomfield Township and Birmingham. This was approved by all in December 2021.

- This Agreement (Distribution/Funding Agreement ("DFA")) is just between the 4 non-funding units. Does that satisfy that statute? Do we even need an agreement, or should it just be resolutions? Is this really more of an agreement among units under MCL 600.8104?

This is not a funding agreement among district funding units as covered under MCL 600.8104. The proposed Distribution/Funding Agreement between the 4 political subdivisions (non-funding units) is clearly permitted under MCL 600.8379 which states:

(d) In a district of the third class, if each political subdivision within the district, by resolution of its governing body, agrees to a distribution of fines and costs, other than fines imposed for the violation of a penal law of this state or ordered in a civil infraction action for the violation of a law of this state, differently than as provided by this section, the distribution of those fines and costs among the political subdivisions of that district shall be as agreed to.

The 48th District Court is clearly defined in MCL 600.8123 as a district of the third class, thus permitting the political subdivisions to agree to a distribution of fines and costs that is different than that laid out in state law.

As to resolution versus an agreement, for uniformity, binding and clarity in a way that is easily tracked, while the statute mentions the term resolution, with so many entities involved, it is preferred to have an agreement rather than simply by resolutions.

Resolutions could otherwise be “undone” at a subsequent meeting by using a contrary resolution, which adds to possible confusion and outcomes that are contrary to the intent of the parties. By having an annual opt-out, a Political Subdivision is only bound for 1 year at a time.

- The second Whereas clause says the non-funding units would do this to limit the loss exposure of the funding units. We don’t see the Court’s budget, and we don’t know why there even is loss exposure, other than in the most general sense—we don’t know, for example, what things are contemplated every year as far as cutting costs, increasing costs, etc.

The court staff has indicated that they are willing to present their budget to all 7 communities for discussion each year, as was done this past November.

- Paragraph 1 (of the FDA) refers to the non-funding units only seeing their statutory share of local fines and costs if “total revenues from all seven” jurisdictions exceed the “total of all 48th DC expenditures.”
 - But the Court gets all sorts of revenues that have nothing to do with local fines and costs, and it apparently spends all that plus the revenues it gets from the State and the County, as well as bond forfeitures, probation oversight, garnishment fees, civil filing fees, and who knows what else (because it doesn’t get shared with us). **So, of course, the fines/costs from the 7 units will never, ever exceed “all” the expenditures of the 48th district court. Literally, as written, the 4 units will never see a single dime.**

The revenues of the court certainly can, and have exceeded the expenditures in the recent past. The “total revenues from all seven jurisdictions” language in paragraph 1 of the FDA includes all fines and costs, other than those imposed for the violation of a penal law of the state or ordered in a civil infraction action for the violation of a law of the state. These terms/descriptors are the ones found in MCL 600.8379, but additional language can be added to paragraph 1 of the FDA if desired.

- Paragraph 1 (of the FDA) goes on to qualify even more its grant of the statutory split by saying that it is also limited “to the extent that sufficient funds are available for distribution and the 48th DC does not need additional funding from the funding units.”
 - If revenues exceeded expenses, how would there not be “sufficient funds available for distribution”?
 - Couldn’t the Court look at that amount and say to the funding units, “we need that”?

If revenues exceed expenses, there would be sufficient funds available for distribution, and this situation is covered by paragraph 1 of the FDA. Paragraph 1 of the FDA that is proposed to read “to the extent that sufficient funds are available for distribution and the 48th DC does not need additional funding from the funding units” applies to the total revenues described above covering the full amount of the court’s budget, which is

documented and approved each year. The court would not be permitted to exceed the approved budget and just say "we need that". We could certainly add clarifying language that limits the total amount of expenses to the amount of the court's approved budget, to be abundantly clear.

- If you could get the wordsmithing done to mean something other than a limited universe of limited revenues that can never exceed "all" expenses of the Court, how would Paragraph 1 (of the FDA) work in practice? **Would the 4 non-funding units get their revenue shares before the funding Units split up the rest? If some revenue was available but not enough to pay all 4 non-funding units their statutory share, would they share pro rata?**

The proposed FDA does not include a pro rata provision for distribution of funds in the situation you describe. We could certainly add a provision to clarify how funds would be distributed in such a situation.

- If there comes a day when the Court is in the black again, and the Funding Units are sharing revenues after expenses, even after paying the 4 non-funding units their statutory share, **is there a tracking mechanism for reimbursing the 4 for contributing in other years? If not, then apparently, those communities share only losses, never revenues**, even to the amount of what the statute calls for.

Certainly, all distributions would be tracked by the court, and verified through the audit process. The proposed FDA does not include a provision for reimbursing any of the 7 communities for years when court revenues do not exceed court expenses.

- Can one community terminate this agreement or would all communities have to?

Paragraph 3 of the proposed FDA provides that the Political Subdivisions may terminate the agreement. Note that we inserted an annual "opt out" for the Political Subdivisions. The Funding Units have an annual opt out in the Funding Agreement. As each Political Subdivision is governed by separate and distinct elected bodies, each has the ability to act independently. Language to clarify that each Political Subdivision has the right to terminate under paragraph 3 can be added if desired.

- Does the Distribution/Funding Agreement terminate with termination of the Funding Agreement?

This was not discussed explicitly when we were all together in November at the courthouse, however the intent of entering into the FDA was to keep the FA in place and avoid litigation. The presumed intent to tie the FDA to the FA can be added to the FDA if desired.

- The non-funding units have never been privy to all the agreements and other pertinent information that the current and prior "funding units" were. I would like the following documents:

- All agreements pertaining to any of the seven units – past and present.
- 48th District Court Budgets for the past 5 years.
- 48th District Court Audit Reports for the past 15 years.

In order to respond to the information requests in a timely manner, all readily available documents are included. Additional information can be compiled if needed. Please see attached the following documents:

- Funding Agreement between Bloomfield Township, W. Bloomfield Township and Birmingham – December 2021
- Former funding agreement of the funding units dating back to 1985
- 48th District Court Budgets for 2018, 2020 - 2023
- 48th District Court Audit Reports for 2019-2021



Jana Ecker <jecker@bhamgov.org>

RE: Draft Political Subdivision Distribution / Funding Agreement

1 message

David Hendrickson <dhendrickson@bloomfieldhillsmi.net>

Wed, Jan 18, 2023 at 10:24 AM

To: Jana Ecker <jecker@bhamgov.org>, "Gerry McCallum, Orchard Lake Village" <DCS@cityoforchardlake.com>, "manager@keegoharbor.org" <manager@keegoharbor.org>, John Martin <citymanager@sylvanlake.org>
Cc: "Walsh, Dani" <dwalsh@bloomfieldtwp.org>, Steven Kaplan <skaplan@wbtownship.org>

Hi Jana,

I am updating you on the comments I received from Commissioners at our January Bloomfield Hills Commission Meeting. I shared your most recent Political Subdivision Funding/ Distribution Agreement and discussed its purpose. The Commission authorized me to work with the other political subdivisions and funding units to answer any questions everyone may have and update the agreement. The next step for us would be to have an agreement that everyone is comfortable with and vetted by legal counsel representing our City. The Commission stated the legal counsel could be done through a collaborative effort with the other political subdivisions if necessary.

Thank you,

David Hendrickson

City Manager

City of Bloomfield Hills

248-530-1404: Direct

From: Jana Ecker <jecker@bhamgov.org>**Sent:** Tuesday, January 17, 2023 5:58 PM**To:** Gerry McCallum, Orchard Lake Village <DCS@cityoforchardlake.com>; David Hendrickson <dhendrickson@bloomfieldhillsmi.net>; manager@keegoharbor.org; John Martin <citymanager@sylvanlake.org>**Cc:** Walsh, Dani <dwalsh@bloomfieldtwp.org>; Steven Kaplan <skaplan@wbtownship.org>**Subject:** Draft Political Subdivision Distribution / Funding Agreement

Good evening everyone,

Thanks to everyone once again for working to resolve the 48th District Court funding issues.

Last week when I spoke with Dave Hendrickson and John Martin, both offered to send emails in general support of the new agreement between the four non-funding units that I can share with our City Commission, and others can share with their elected bodies. It would be much appreciated if you could each send such an email to all of us to assist with the approval process. I realize it will be a general statement, as you cannot speak for your elected body, but anything you can provide over the next few days would be greatly appreciated.



Jana Ecker <jecker@bhamgov.org>

Re: Draft Political Subdivision Distribution / Funding Agreement

1 message

John Martin <citymanager@sylvanlake.org>

Tue, Jan 17, 2023 at 6:38 PM

To: Jana Ecker <Jecker@bhamgov.org>

Hi Jana,

I have no problem explaining the situation to my City Council and would expect that they will be in favor of the City turning over 100% of the revenue received from the court (as opposed to 2/3), if the court's expenditures exceeded revenues as we discussed. I look forward to working with you on the revised document.

Thank you for your efforts!

John Martin

City Manager

City of Sylvan Lake

Sent from my iPhone

(Of course not while driving!)

On Jan 17, 2023, at 5:57 PM, Jana Ecker <Jecker@bhamgov.org> wrote:

Good evening everyone,

Thanks to everyone once again for working to resolve the 48th District Court funding issues.

Last week when I spoke with Dave Hendrickson and John Martin, both offered to send emails in general support of the new agreement between the four non-funding units that I can share with our City Commission, and others can share with their elected bodies. It would be much appreciated if you could each send such an email to all of us to assist with the approval process. I realize it will be a general statement, as you cannot speak for your elected body, but anything you can provide over the next few days would be greatly appreciated.

Thank you very much,

Jana L. Ecker

Assistant City Manager
City of Birmingham
248-530-1811

Important Note to Residents

Let's connect! Join the Citywide Email System to receive important City updates and critical information specific to your neighborhood at www.bhamgov.org/citywideemail.



Jana Ecker <jecker@bhamgov.org>

RE: Draft Political Subdivision Distribution / Funding Agreement

1 message

dcscityoforchardlake.com <dcscityoforchardlake.com>

Wed, Jan 18, 2023 at 11:29 AM

To: Jana Ecker <jecker@bhamgov.org>

Cc: "Walsh, Dani" <dwalsh@bloomfieldtwp.org>, Steven Kaplan <skaplan@wbtownship.org>, David Hendrickson <dhendrickson@bloomfieldhillsmi.net>, manager@keegoharbor.org, John Martin <citymanager@sylvanlake.org>

Hi Jana,

The proposed agreement was discussed at last night's City Council Meeting and the City Council agreed with the concept of this agreement. No formal action was taken in approving the agreement as they were made aware that there is some revisions forthcoming. This has been placed on our February 21st City Council Agenda for formal approval after review by legal counsel.

Thank you very much,

Gerry McCallum

Director of City Services

City of Orchard Lake Village**3955 Orchard Lake Road****Orchard Lake, MI 48323****Ph: (248) 682-2400****Fax: (248) 682-1308****From:** Jana Ecker <jecker@bhamgov.org>**Sent:** Tuesday, January 17, 2023 5:58 PM**To:** Gerry McCallum, Orchard Lake Village <DCS@cityoforchardlake.com>; David Hendrickson <dhendrickson@bloomfieldhillsmi.net>; manager@keegoharbor.org; John Martin <citymanager@sylvanlake.org>**Cc:** Walsh, Dani <dwalsh@bloomfieldtwp.org>; Steven Kaplan <skaplan@wbtownship.org>**Subject:** Draft Political Subdivision Distribution / Funding Agreement

Good evening everyone,

Thanks to everyone once again for working to resolve the 48th District Court funding issues.

Last week when I spoke with Dave Hendrickson and John Martin, both offered to send emails in general support of the new agreement between the four non-funding units that I can share with our City Commission, and others can share with their elected bodies. It would be much appreciated if you could each send such an email to all of us to assist with the approval process. I realize it will be a general



Jana Ecker <jecker@bhamgov.org>

RE: Draft Political Subdivision Distribution / Funding Agreement

1 message

Clerk <clerk@keegoharbor.org>

Wed, Jan 18, 2023 at 12:07 PM

To: "dcs@cityoforchardlake.com" <dcs@cityoforchardlake.com>, Jana Ecker <Jecker@bhamgov.org>

Cc: "Walsh, Dani" <dwalsh@bloomfieldtwp.org>, Steven Kaplan <skaplan@wbtownship.org>, David Hendrickson <dhendrickson@bloomfieldhillsmi.net>, manager <manager@keegoharbor.org>, John Martin <citymanager@sylvanlake.org>

Good afternoon Jana,

The Proposed agreement was discussed at last night's City Council Meeting. No formal action was taken, council is aware of a revised agreement is being drafted. After review by legal counsel, it would be place on City Council Agenda.

City of Keego Harbor



Tammy Neeb

City Manager / City Clerk

manager@keegoharbor.org

O:248-682-1930 Ext. 1

From: dcs@cityoforchardlake.com <dcs@cityoforchardlake.com>**Sent:** Wednesday, January 18, 2023 11:30 AM**To:** 'Jana Ecker' <Jecker@bhamgov.org>**Cc:** 'Walsh, Dani' <dwalsh@bloomfieldtwp.org>; 'Steven Kaplan' <skaplan@wbtownship.org>; 'David Hendrickson' <dhendrickson@bloomfieldhillsmi.net>; manager <manager@keegoharbor.org>; 'John Martin' <citymanager@sylvanlake.org>**Subject:** RE: Draft Political Subdivision Distribution / Funding Agreement

Hi Jana,

The proposed agreement was discussed at last night's City Council Meeting and the City Council agreed with the concept of this agreement. No formal action was taken in approving the agreement as they were made aware that there is some revisions forthcoming. This has been placed on our February 21st City Council Agenda for formal approval after review by legal counsel.

Thank you very much,

Gerry McCallum

Director of City Services

IV. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

V. CONSENT AGENDA

All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of the items unless a Commissioner or citizen so requests, in which event the item will be removed from the general order of business and considered under the last item of new business.
--

- A. Resolution to approve the City Commission meeting minutes of November 27, 2023.
- B. Resolution to approve the City Commission Workshop meeting minutes of December 4, 2023.
- C. Resolution to approve the City Commission meeting minutes of December 4, 2023.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated December 7, 2023 in the amount of \$1,661,581.50.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated December 14, 2023 in the amount of \$1,662,667.77.
- F. Resolution to amend the Schedule of Fees, Charges, Bonds and Insurance as presented and to adopt the revised Public Records Policy, effective January 1, 2024.
- G. Resolution to set a public hearing date of January 22, 2024 to consider the Special Land Use Permit, Final Site Plan and Design Review application for 34350 Woodward Ave & 909-911 Haynes Street – Fred Lavery Porsche.
- H. Resolution to set a public hearing date of January 22, 2024 to consider the lot combination of 34350 Woodward Ave and 909-911 Haynes Street, Fred Lavery Porsche, parcel # 19-36-281-022 and parcel # 19-36-281-030.
- I. Resolution to set the Public Hearing of Necessity for the replacement and improvement of water and sewer laterals meeting the requirements for assessment for all properties within the project area on Edgewood Road between Lincoln and E. Southlawn on Monday, January 8, 2024, at 7:30 P.M.;

If necessity is determined on January 8, 2024, to meet on Monday, January 22, 2024, at 7:30 P.M., for the purpose of conducting the public hearing to confirm the Assessment of the Roll for the replacement and improvement of water and sewer laterals meeting the requirements for assessment, for all properties within the project area on Edgewood Road between Lincoln and E. Southlawn.
- J. Motion to adopt an ordinance amendment to Chapter 114, Utilities, Article II.-Water Supply Systems, Division 3.-Fire Protection, Sec. 114-93 to prohibit the obstruction of fire lanes and fire hydrants and add that a violation of this section will result in a civil infraction with a \$500 fine.

VI. CITY MANAGER'S REPORT

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

- A. Public Hearing for 377 Hamilton Row – Birmingham Sushi Cafe – Special Land Use Permit, Final Site Plan & Design Review PH - 377 Hamilton Row - Bham Sushi SLUP (N. Dupuis)
1. Resolution to approve the Special Land Use Permit, Final Site Plan and Design Review application for 377 Hamilton Row – Birmingham Sushi Cafe.

AND

To authorize the City Clerk to complete the Local Approval Notice at the request of Kim Fam Birmingham Sushi, Inc., and to approve the transfer of the Class C Liquor License from D&D Hospitality, LLC. to Kim Fam Birmingham Sushi, Inc. with a new SDM Liquor License, Sunday Sales permit (AM and PM) and Outdoor Service area on public property to Kim Fam Birmingham Sushi, Inc. that will be located at 377 Hamilton Row, Birmingham, Oakland County, MI.

- B. Public Hearing to amend Article 4, Section 4.54 of the Zoning Ordinance to add flexibility to screening requirements for waste receptacles and ground-mounted mechanical/electrical equipment.
1. Motion adopting an ordinance to amend Article 4, Section 4.54 of the Zoning Ordinance to add flexibility to screening requirements for waste receptacles and ground-mounted mechanical/electrical equipment.
- C. Public Hearing – Parks and Recreation Master Plan
- D. Resolution to approve the 2024-2028 Parks and Recreation Master Plan, and further to direct the City Clerk to certify the resolution with signature.
- E. Resolution to adopt the Citywide Wayfinding and Signage Plan for the City of Birmingham.
- F. Fiscal Year 2022-2023 Audit Presentation
- G. Resolution to continue to participate in the current funding agreement with Bloomfield Township and West Bloomfield Township;

OR

Resolution to approve an Addendum to the existing funding agreement with Bloomfield Township and W. Bloomfield Township and to authorize the Mayor and City Clerk to sign the agreement on behalf of the City, subject to the approval of the Political Subdivision Distribution / Funding Agreement by all four political subdivisions;

OR

Resolution to provide notice in January 2024 that Birmingham intends to opt out of the current funding agreement with Bloomfield Township and W. Bloomfield Township.

- H. Commission Items for Future Discussion. A motion is required to bring up the item for future discussion at the next reasonable agenda, no discussion on the topic will happen tonight.
- I. Commission discussion on items from a prior meeting.
 - 1. Staff report on Bistro Compliance
 - 2. Staff Report on Sports Court
- J. Resolution to meet in closed session to discuss pending litigation pursuant to MCL § 15.268 Sec. 8(e) of the Open Meetings Act regarding John Reinhart, et al v City of Birmingham; U.S. District Court Case No.: 2:22-cv-11074-MAG-DRG, and The New 555 Commercial, LLC, The New 555 Residential, LLC, Manorwood Properties, LLC and Associates of 555, LP v City of Birmingham, State of Michigan Department of Licensing & Regulatory Affairs, Michigan Administrative Hearing System, Michigan Tax Tribunal Docket No.: 22-000772-TT, Property Nos.: 08-19-36-210-001, 08-19-36-210-003, and 08-19-36-210-005, which was appealed to the Michigan Court of Appeals bearing Docket 364563, and currently appealed to the Michigan Supreme Court bearing Docket No.: 165973.

AND

Resolution to meet in closed session to discuss pending litigation pursuant to MCL § 15.268 Sec. 8(e) of the Open Meetings Act regarding Caroline Ashleigh, et al v City of Birmingham, Oakland County Circuit Court Case No.: 23-202347-NZ.

(A roll call vote is required and the vote must be approved by a 2/3 majority of the commission. The commission will adjourn to closed session after all other business has been addressed in open session and reconvene to open session, after the closed session, for purposes of taking formal action resulting from the closed session and for purposes of adjourning the meeting.)

IX. REMOVED FROM CONSENT AGENDA
--

X. COMMUNICATIONS

- A. Letter from Jim Mirro dated November 15, 2023

XI. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

INFORMATION ONLY

XII. ADJOURN

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760

You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al (248) 530-1880 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).



NOTICE OF INTENTION TO APPOINT TO BOARD OF REVIEW

The City Commission intends to appoint one regular member to serve a three-year term to expire December 31, 2026. Applicants must be property owners and electors of the City of Birmingham.

The Board of Review, consisting of two panels of three local citizens who must be property owners and electors, is appointed by the City Commission for three-year terms. Although a general knowledge of the City is very helpful, more important are good judgment and the ability to listen carefully to all sides of an issue before making a decision. Approximately three weeks in March are scheduled for taxpayers to protest their assessments and one day each in July and December for correcting clerical errors and mutual mistakes of fact. Two training sessions in February are also required.

Interested citizens may submit an application available at the Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, December 13, 2023. These documents will appear in the public agenda for the regular meeting at which time the City Commission will interview applicants and may make nominations and vote on appointments.

Board members are paid \$110 per diem.

Applicant(s) Presented For City Commission Consideration:

Applicant Name	Criteria	/Qualifications
	Must be property owners and electors of the City of Birmingham	Applicants must be property owners and electors (registered voters) of the City of Birmingham.
Guy DiPlacido	Property Owner and Elector of Birmingham	Current Board of Review regular member

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.

SUGGESTED RESOLUTION:

To appoint _____ to the Board of Review as a regular member to serve a three-year term to expire December 31, 2026.

To appoint _____ to the Board of Review as an alternate member to serve the remainder of a three-year term to expire December 31, 2025.

To appoint _____ to the Board of Review as an alternate member to serve a three-year term to expire December 31, 2026.



BIRMINGHAM

A WALKABLE CITY

OFFICE USE ONLY
 Meets Requirements? Yes No
 Will Attend / Unable to Attend

APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest BOARD OF REVIEW

Specific Category/Vacancy on Board _____ (see back of this form for information)

Name GUY DI PLACIDO Phone 248-644-1708

Residential Address 726 LAKESIDE DRIVE Email * _____

Residential City, Zip BIRMINGHAM 48009 Length of Residence 57 YEARS

Business Address _____ Occupation RETIRED CIVIL ENGINEER

Business City, Zip _____

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied _____

I HAVE ALWAYS HAD AN INTEREST IN THE TAX STRUCTURE OF BIRMINGHAM WITH MY REAL ESTATE AND CONSTRUCTION EXPERIENCE, I AM OF THE OPINION I'LL DO AN HONEST AND JUST SERVICE TO KEEP A STRONG TAX BASE IN BIRMINGHAM

List your related employment experience SHEW OR CO - REAL ESTATE ACQUISITION DEVELOPMENT

HI DISTRICT ENGINEER CONSTRUCTION, RETIRED RESIDENTIAL BUILDER HI

List your related community activities 29 YEARS ON BOARD OF REVIEW

CARE GIVER FOR SENIORS

List your related educational experience BACHELOR OF ENGINEERING - CIVIL ENGINEER

YOUNGSTOWN UNIVERSITY - RAM - REAL ESTATE UNIVERSITY OF MICHIGAN
COMPLETED MICHIGAN MUNICIPAL LEAGUE CLASSES LEVEL 1 ASSESSOR

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: NO

Do you currently have a relative serving on the board/committee to which you have applied? NO

Are you an elector (registered voter) in the City of Birmingham? YES

Guy Di Placido 11/18/23
 Signature of Applicant Date

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to clerk@bhamgov.org or fax to 248.530.1080. Updated 11/18/2020

*By providing your email to the City, you agree to receive news & notifications from the City. If you do not wish to



BOARD OF REVIEW

City Charter – Chapter III, Section 14

Terms: Three Years

Members: Members must be property owners and electors of the City of Birmingham

Appointed by the City Commission

The Board of Review hear appeals from property owners regarding their assessments. Approximately three weeks in March are scheduled for taxpayers to protest their assessments and one day each in July and December for correcting clerical errors and mutual mistakes of fact. Two training sessions in February are also required.

Last Name Home Address	First Name	Home Business E-Mail	Appointed	Term Expires
Devereaux 1019 Rivenoak	Kathleen	(248) 840-5310 <i>kddevereaux@wowway.com</i>	2/22/2016	12/31/2025
Di Placido 726 Lakeside Dr.	Guy	(248) 644-1708	1/10/1994	12/31/2023
Katrib 1832 East Lincoln	Elicia	(248) 379-3577 <i>e.katrib@gmail.com</i>	2/22/2016	12/31/2023
Loafman 580 Oakland Ave	Thomas	(248)840-6678 <i>thosloafman@gmail.com</i>	11/22/2021	12/31/2024
Rose 1011 Clark	Cynthia	(248) 752-2667 <i>crose@cbwm.com</i>	3/2/2009	12/31/2024

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
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Stress	Jill	(586) 246-6700	2/13/2017	12/31/2025
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784 Westchester Way

jill.stress@yahoo.com

Vacant				12/31/2025
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Alternate

Vacant				12/31/2023
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Alternate

CITY BOARD/COMMITTEE ATTENDANCE RECORD

Board/Committee: **Board of Review**

Year: **2023**

MEMBER NAME	3/7	3/13	3/14	3/16	3/17	7/18	12/12					Total Mtgs. Att.	Total Absent	Perce nt Attend
REGULAR MEMBERS														
DEVEREAUX, KATHLEEN	P	P	A	P	A	A	P					4	3	57%
DIPLACIDO, GUY	P	P	P	P	P	P	P					7	0	100%
LOAFMAN, THOMAS	A	A	A	A	A	P	P					2	5	29%
KATRIB, ELICIA	A	P	A	P	A	A	A					2	5	29%
STRESS, JILL	P	P	P	P	P	P	P					7	0	100%
ROSE, CYNTHIA	P	A	A	A	A	A	A					1	6	14%
Reserved														
Reserved														
ALTERNATES														
VACANT												0	0	#DIV/0!
VACANT												0	0	#DIV/0!
Reserved														
Reserved														
Members in attendance	4	4	2	4	2	3	4							

KEY: A = Absent
P = Present
NM = No Meeting
na = not appointed at that time

Department Head Signature

CITY BOARD/COMMITTEE ATTENDANCE RECORD

Board/Committee: **Board of Review**

Year: **2022**

MEMBER NAME	3/8	3/14	3/15	3/17	3/18	7/19	12/13					Total Mtgs. Att.	Total Absent	Perce nt Attend
REGULAR MEMBERS														
DEVEREAUX, KATHLEEN	P	P	P	P	P	A	P					6	1	86%
DIPLACIDO, GUY	P	P	P	P	P	P	A					6	1	86%
LOAFMAN, THOMAS	P	P	P	P	P	A	A					5	2	71%
KATRIB, ELICIA	P	P	P	P	P	A	A					5	2	71%
STRESS, JILL	P	P	P	P	P	P	A					6	1	0%
ROSE, CYNTHIA	P	P	P	P	P	P	P					7	0	100%
Reserved														
Reserved														
ALTERNATES														
ROSENBERG, HARVEY	P	A	A	A	A	A						1	4	20%
VACANT												0	0	#DIV/0!
Reserved														
Reserved														
Members in attendance	7	6	6	6	6	3	2							

KEY: **A = Absent**
 P = Present
 NM = No Meeting
 na = not appointed at that time

Department Head Signature

CITY BOARD/COMMITTEE ATTENDANCE RECORD

Board/Committee: **Board of Review**

Year: **2021**

MEMBER NAME	3/2	3/8	3/9	3/11	3/12	3/15	7/20	12/14					Total Mtgs. Att.	Total Absent	Percent Attend
REGULAR MEMBERS															
DEVEREAUX, KATHLEEN	P	P	P	P	P	P	A	A					6	2	75%
DIPLACIDO, GUY	P	P	P	P	P	P	P	A					7	1	88%
FEISTE, LELAND	A	A	A	A	A	A	A	A					0	8	0%
KATRIB, ELICIA	P	P	P	P	P	P	A	A					6	2	75%
RICHEY, LESTER	P	P	P	P	P	P	A	A					6	2	75%
ROSE, CYNTHIA	P	P	P	P	P	P	P	P					8	0	100%
Reserved															
Reserved															
ALTERNATES															
ROSENBERG, HARVEY	A	A	A	A	A	A	A	P					1	7	13%
STRESS, JILL	P	P	A	P	P	P	P	P					7	1	88%
Reserved															
Reserved															
Members in attendance	6	6	5	6	6	6	3	3							

KEY: A = Absent

P = Present

NM = No Meeting

na = not appointed at that time

Department Head Signature

Section 14. - [Board of review.]

Three qualified freeholders and electors of the City of Birmingham, other than members of the city commission shall constitute the board of review of the city in relation to assessments made for general taxation purposes, whether under the provisions of this Charter or the general laws of the state. The three electors and freeholders shall be appointed by the city commission for initial terms of one, two and three years, respectively, and thereafter for terms of three years each. The city assessor shall serve as a nonvoting advisory member and as clerk of the board of review. The members of the board of review shall receive such compensation as shall be fixed by the city commission.

(Amend. of 4-6-64)

Section 3. - [Review of roll.]

The board of review shall meet for the purpose of reviewing and correcting said assessment roll, at a designated place in the city in accordance with provisions of the state law governing boards of review in townships. Notice shall be given of such meeting by publishing such notice once in a newspaper in circulation within the city, at least seven days before the first day of review. Failure to give the notice herein specified shall not invalidate the assessment roll or any assessment therein contained. Said board may continue in session on one or more following secular days, or may adjourn to a day certain, provided it shall complete its review of the assessment roll within the period fixed by the state laws of Michigan. It shall elect a chairman and a clerk. A majority shall constitute a quorum. The members of said board shall take the constitutional oath of office which shall be filed with the city clerk. For the purpose of reviewing and correcting assessments, the board of review shall have the same powers and perform like duties in all respects, as are by the general tax law conferred upon and required of boards of review in townships, in reviewing assessments in townships for state and county taxes. It shall hear the complaints of all persons considering themselves aggrieved by assessments, and if it shall appear that any person or property has been wrongfully assessed, or omitted from the roll, the board shall correct the roll in such manner as it may deem just.

(Amend. of 9-12-50)

State Law reference— Mandatory that Charter provide for a board of review, MCL 117.3(a), MSA 5.2073(a).

Section 5. - [Endorsement by board of review.]

Immediately after the review of the assessment roll as aforesaid, the chairman and clerk of the board of review shall endorse the roll as provided by the general tax laws. The omission of such endorsement shall not affect the validity of such roll. Upon the completion of said roll and its endorsement in the manner

aforesaid, the same shall be conclusively presumed by all courts and tribunals to be valid, and shall not be set aside except for such causes as are provided in the general tax laws of the state for the setting aside of assessment rolls for state, county and school purposes.

State Law reference— Mandatory that Charter provide for meeting of board of review, MCL 117.3(i), MSA 5.2073(i); completion of review of assessments, MCL 211.30a, MSA 7.30(1).

DIVISION 3. - BOARD OF REVIEW

Footnotes:

--- (6) ---

Editor's note— Ord. No. 1981, adopted January 26, 2009, amended division 3 in its entirety to read as herein set out. Formerly, division 3 pertained to similar subject matter, and derived from the Code of 1963, §§ 1.45, 1.46, and Ord. No. 1575, § 1.47, adopted December 13, 1993.

Sec. 2-196. - Board of review.

- (a) *Appointment; term.* The city commission shall appoint a board of review for the city. Members of the board of review shall be property tax payers and electors in the city and shall serve for terms of three years. Each member of the board of review shall qualify by taking the constitutional oath of office within ten days after appointment. Each member shall attend at least one state board of review update educational seminar annually, prior to the organizational meeting provided for in subsection (d)(1). The city commission may fill any vacancy that occurs in the membership of the board of review. Except as otherwise provided in this division, the duties and responsibilities of the board of review shall be carried out by the entire membership and a majority of the membership constitutes a quorum for such purposes. A spouse, mother, father, sister, brother, son, or daughter, including an adopted child, of the assessor is not eligible to serve as a regular or alternate member or to fill any vacancy.
- (b) *Number of boards and members.* The city commission may appoint three or six property taxpayers and electors of the city, who shall constitute a board of review for the city. If six members are appointed, the membership of the board of review shall be divided into board of review committees consisting of three members each for the purposes of hearing and deciding issues protested by taxpayers. Two of the three members of a board of review committee constitute a quorum for the transaction of the business of the committee. All meetings of the members of the board of review and committees shall be held during the same hours of the day and at the same location. A majority of the entire board of review membership shall indorse the assessment roll.
- (c)

Alternate members. The city commission may appoint not more than two alternate members for the same term as the regular members of the board of review. Each alternate member shall be a property taxpayer and elector of the city. Alternate members shall qualify by taking the constitutional oath of office within ten days after appointment. Each alternate member shall attend at least one state board of review update educational seminar annually, prior to the organizational meeting provided for in subsection (d)(1) below. The city commission may fill any vacancy that occurs in the alternate membership of the board of review. A member of the city commission is not eligible to serve as an alternate member or to fill any vacancy. An alternate member may be called to perform the duties of a regular member of the board of review in the absence of a regular member. An alternate member may also be called to perform the duties of a regular member of the board of review for the purpose of reaching a decision on issues protested in which a regular member has abstained for reasons of conflict of interest.

(d) *Meetings.*

- (1) *Organizational meeting.* The board of review shall hold an organizational meeting on the Tuesday following the first Monday in March of each year.
- (2) *Starting and subsequent meetings.* The board of review starting date shall be the second Monday in March. This meeting shall not start earlier than 9:00 a.m. and not later than 3:00 p.m., and shall last for not less than six hours. The board of review shall also meet for not less than six hours during the remainder of that week. Persons or agents who have properly appeared to file a protest before the board of review at a scheduled meeting or at a scheduled appointment as required in this division shall be afforded an opportunity to be heard by the board of review. The board of review shall hold at least three hours of its required sessions for review of assessment rolls after 6:00 p.m. during the week of the second Monday in March.
- (3) *Final meeting.* The board of review shall schedule a final meeting after the board of review makes a change in the assessed value or tentative taxable value of property or adds property to the assessment roll.
- (4) *July and December meetings.* The board of review shall hold a special meeting during the week of the third Monday in July and during the week of the second Monday in December of the tax year at issue. The board of review shall address and take actions on only those matters permitted by statute for these meetings.

(Ord. No. 1981, 1-26-09)

Sec. 2-197. - Completion of review.

The city assessment roll and the final review thereof shall be completed not later than the first Monday in April of each year.

(Ord. No. 1981, 1-26-09)

Sec. 2-198. - Protests to board of review.

- (a) Protests to the board of review may be made in person in accordance with this section. Additionally, the board of review shall permit both resident and nonresident taxpayers to protest to the board of review in writing, without the necessity of a personal appearance by the taxpayer or the taxpayer's representative, provided such written protest is received on or before the last date and time indicated on the assessment notice, or such later date as the board of review may specify.
- (b) The board of review shall accept appointments from taxpayers or their representatives to appear and protest in person from the date assessment change notices are sent by the city, through the last date and time listed on the assessment notice of the tax year at issue, or such later date as the board of review may specify.
- (c) Before hearing or considering a protest, whether made in person or in writing, by a person or representative other than the taxpayer of record, an original letter of authority, signed and dated by the taxpayer of record, shall be submitted authorizing such person or representative to protest to the board of review on the taxpayer's behalf. This requirement shall be stated on the city's assessment change notices. Faxed or emailed appeals or letters of authority shall not be accepted.
- (d) All protests to the board of review shall be made in compliance with state law.
- (e) Each person who makes a request, protest or application to the board of review for the correction of the assessed value or tentative taxable value of the person's property shall be notified in writing of the board of review's action on the request, protest, or application, of the state equalized valuation or tentative taxable value of the property, and of information regarding the right to further appeal to the tax tribunal including, but not limited to, a statement of the right to appeal to the tax tribunal, the address of the tax tribunal, and the final date for filing an appeal with the tax tribunal. Said notice shall be sent not later than the first Monday in June.

(Ord. No. 1981, 1-26-09)

Secs. 2-199—2-205. - Reserved.

Sec. 26-412. - Board of review.

The board of zoning appeals is hereby constituted as a board of review to consider hardship cases under this article. The board shall have the power to grant a variance in the requirements contained in this article or extension of time for the fulfillment of such requirements in cases of hardship where the granting of such variance or extension does not violate the spirit and intent of this article. In no case shall such variance or

extension be valid for more than one year. Such board shall establish its own rules of procedure for hearings conducted under this article. All hearings shall be public; and the petitioner, his representative, the building official and any other shall be given an opportunity to be heard.

(Code 1963, § 7.343)

Sec. 106-1. - Meeting of board of review.

The board of review provided by the city Charter shall hold its first meeting on the Tuesday following the first Monday in March in each year and on the day following if deemed necessary, and shall hold its second meeting on the second Monday in March of each year, and on the day following. Such board of review shall convene at 9:00 a.m., and shall hold session until 12:00 noon, and shall reconvene at 1:00 p.m., and hold session until at least 4:00 p.m.; provided that the board shall hold longer or additional sessions to deal with matters coming before it, if necessary.

(Code 1963, § 1.45)



NOTICE OF INTENTION TO APPOINT TO THE BOARD OF ETHICS

At the regular meeting of Monday, December 18, 2023, the Birmingham City Commission intends to appoint one alternate member to the Board of Ethics to serve the remainder of a three-year term to expire June 30, 2026.

Board members are to serve as an advisory body for the purposes of interpreting the Code of Ethics. The board consists of three regular members and up to two alternate members who serve without compensation. The members shall be residents and have legal, administrative or other desirable qualifications.

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, December 13, 2023. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

Applicant(s) Presented For City Commission Consideration:

Applicant Name	Criteria/Qualifications Applicants shall be residents and have legal, administrative or other desirable qualifications.
Judy Doyle	Long term resident, licensed master social worker

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.

SUGGESTED COMMISSION ACTION:

To appoint _____ as an alternate regular member to the Board of Ethics to serve a three-year term to expire June 30, 2026.

APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest Ethics
 Specific Category/Vacancy on Board alternate (see back of this form for information)
 Name Judy Doyle Phone 248-514-1897
 Residential Address 662 Purdy Email * bhamjudy@gmail.com
 Residential City, Zip Birmingham Length of Residence 45 years
 Business Address same Occupation LMSW private practice
 Business City, Zip same Licensed Master Social Worker

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied
Calm, open minded, friendly, good listener and conflict resolutionist!
I am, and have been for 45 years, an active involved champion
of Birmingham, having chosen to live here from out of state.

List your related employment experience 27 years Birmingham Public Schools, Social
Worker last 15 at Seaholm High School

List your related community activities active participant in schools as employee and
parent. Actively involved in elections. Past member of Birmingham
Methodist Church. Always support local resident issues & business
 List your related educational experience MSW Wayne State University owners

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: NO

Do you currently have a relative serving on the board/committee to which you have applied? NO

Are you an elector (registered voter) in the City of Birmingham? YES
Judith A Doyle, LMSW December 7, 2023
 Signature of Applicant Date

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to clerksoffice@bhamgov.org or by fax to 248.530.1080. Updated 3/24/2021

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



BOARD OF ETHICS

Ordinance 1805 (Birmingham Code of Ordinances Sec. 2-320 through 2-326)

Ordinance 2378 (Birmingham Code of Ordinances Sec. 2-320 through 2-326)

The board shall serve as an advisory body for purposes of interpreting the Code of Ethics. The board consists of three regular members and two alternate members who serve without compensation. The members shall be residents and have legal, administrative, or other desirable qualifications.

Last Name Home Address	First Name	Home Business E-Mail	Appointed	Term Expires
Coakley 280 Millrace	Michael	(248) 321-2001 <i>coakley@millercanfield.com</i>	8/14/2023	6/30/2026
Robb 1533 Pleasant Court	James	(517) 712-3469 <i>jamesdrobb55@gmail.com</i>	8/11/2003	6/30/2025
Schrot 1878 Fairway	John	(248) 646-6513 <i>jschrot@berrymoorman.com</i>	7/14/2003	6/30/2024

Vacant	6/30/2026
Alternate Member	

Vacant	6/30/2026
Alternate Member	

Sec. 2-325. - Violation, enforcement and advisory opinions.

(a) *Board of ethics.*

- (1) The city commission shall appoint a board of ethics, consisting of three members, as an advisory body for the purpose of interpreting this code of ethics.
- (2) The initial three members of the board of ethics shall be appointed for one-, two-, and three-year terms of office respectively, which shall begin on July 1, 2003. If appointed prior to July 1st, they shall begin their terms of office immediately and their terms shall include the additional time prior to July 1st. Terms of office shall expire on June 30th of the respective years.

Thereafter, all members shall be appointed to three-year terms, beginning July 1, so that only one member's term expires each year. A member shall hold office until his or her successor is appointed. The city commission shall fill a vacancy by an appointment for the unexpired term only.

- (3) The city commission may also appoint not more than two alternate members for the same term as regular members of the board of ethics. An alternate member may be called on a rotating basis to sit as a regular member of the board of ethics in the absence of a regular member, and shall have the same voting rights as a regular member of the board of ethics. An alternate member may also be called to service in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained or recused for reasons of conflict of interest. An alternate member having been appointed shall serve in the case until a final decision has been made.
- (4) The board of ethics shall be made up of residents of the city who have legal, administrative or other desirable qualifications.
 - a. The members of the board of ethics shall serve without compensation, and shall not be elected officials, persons appointed to elective office, full-time appointed officials or city employees, nor shall they be currently serving on any other city board or commission.
 - b. The board shall select its own presiding officer from among its members.
 - c. The board shall establish such procedures it deems necessary or appropriate to perform its functions as set forth in this article.

- (b) *Functions of the board of ethics.* When there is a question or a complaint as to the applicability of any provision of this code to a particular situation, that question or complaint shall be directed to the board of ethics. It shall then be the function of the board of ethics to conduct hearings and/or issue an advisory opinion, as applicable.

- (1) Hearings. The board of ethics shall follow the following hearing procedure:
 - a.

The board shall, within seven days after any matter is brought to its attention, set a date certain for hearing said matter.

- b. The board shall, at least 28 days before the hearing date, send notice of such hearing, accompanied by a concise statement of the alleged breach of this code of ethics, to any person requested to appear before them, by certified mail, return receipt requested, to addressee only.
 - c. Any person requested to appear before a board of ethics hearing may request one extension for a period not to exceed 28 days. Extensions thereafter will be granted only under extreme circumstances.
 - d. Any person requested to appear before a board of ethics hearing may be accompanied by his or her attorney.
 - e. All hearings at which any person shall be requested to appear shall be subject to the Open Meetings Act.
 - f. All findings of board hearings shall be published in permanent form and communicated to the city commission and the public, subject to the requirements of the Open Meetings Act.
- (2) Advisory opinions. All advisory opinions so issued shall also be published in permanent form and communicated to the city commission and the public, subject to the requirements of the Open Meetings Act.
- (3) After the board of ethics' advisory opinions and/or hearing findings have been published:
- a. The city commission shall be responsible for imposing any sanction for a violation of this Code on one of its members or any person appointed by the commission to any city board.
 - b. If it becomes necessary to seek the removal of a city official after the board of ethics' advisory opinion and/or hearing findings, the city shall follow the requirements for removal of a public official in accordance with the laws of the state.
 - c. The city manager shall be responsible for imposing any discipline for a violation of this Code on any employee of the city.

(Ord. No. 1805, 4-28-03; Ord. No. 1810, 5-19-03; Ord. No. 1819, 1-12-04; Ord. No. 2378, 4-25-23)



NOTICE OF INTENTION TO APPOINT TO THE MULTI-MODAL TRANSPORTATION BOARD

At the regular meeting of Monday, December 18, 2023, the Birmingham City Commission intends to appoint to the Multi-Modal Transportation Board one regular member to serve the remainder of a three-year term to expire March 24, 2025.

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, December 13, 2023. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

In so far as possible, the seven-member committee shall be composed of the following: one pedestrian advocate member; one member with a mobility or vision impairment; one member with traffic-focused education and/or experience; one bicycle advocate member; one member with urban planning, architecture or design education and/or experience; and two members at large living in different geographical areas of the City. Applicants for this position do not have to be a qualified elector or property owner in Birmingham.

Duties of the Multi-Modal Transportation Board

The purpose of the Multi-Modal Transportation Board shall be to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the city and to advise the City Commission on the implementation of the Multi-Modal Transportation Plan, including reviewing project phasing and budgeting.

Applicant	Criteria	Qualifications
		Traffic-focused education/experience, mobility/vision impairment, urban planning, architecture or design education/experience. In addition, 2 members at large living in different geographical areas of the City.
Z. Rosie Koul	Resident	Previous experience with AV transportation, professional director roles, and lived in several areas of the city.

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and filing of the Affidavit and Disclosure Statement.

SUGGESTED COMMISSION ACTION:

To appoint _____ as a regular member to the Multi-Modal Transportation Board to serve the remainder of a three-year term to expire March 24, 2025.



BIRMINGHAM

A WALKABLE CITY

OFFICE USE ONLY

Meets Requirements? Yes No

Will Attend / Unable to Attend

APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest MULTI-MODAL TRANSPORTATION

Specific Category/Vacancy on Board AUTOMOTIVE & MOBILITY (see back of this form for information)

Name Z. ROSIE KOUZ

Phone 248.420.0906

Residential Address 662 PURDY #103

Email * ZROSIEKOUZ@att.net

Residential City, Zip BHAM 48009

Length of Residence _____

Business Address 1 AMERICAN RD

Occupation Data, Analytix, Tech

Business City, Zip DEARBORN, 48126

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied _____

Professional Management Consultant adept at evaluating complex technical engineering plans w/ focus on customer/user experience. Executive facilitator & leader.

List your related employment experience Automotive Executive evaluating strategies & implementations of Moving Goods & Moving People.

List your related community activities 2006 - Create Detroit | AV Transportation. 2011-2016 - The Community House, Director | Youth Leadership

List your related educational experience _____

16 year downtown resident, 4 addresses, many many educational walkable miles (11)

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: _____

No.

Do you currently have a relative serving on the board/committee to which you have applied? No.

Are you an elector (registered voter) in the City of Birmingham? Yes.

Z. Rosie Kouz

Dec 6, 2023

Signature of Applicant

Date

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to clerk@bhamgov.org or fax to 248.530.1080.

Updated 11/18/2020

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



MULTI-MODAL TRANSPORTATION BOARD

Chapter 110, Sections 110-26 & 110-27

The purpose of the Multi-Modal Transportation Board shall be to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the city and to advise the city commission on the implementation of the Multi-Modal Transportation Plan, including reviewing project phasing and budgeting.

In so far as possible, the seven member committee shall be composed of the following: one pedestrian advocate member; one member with a mobility or vision impairment; one member with traffic-focused education and/or experience; one bicycle advocate member; one member with urban planning, architecture or design education and/or experience; and two members at large living in different geographical areas of the city. At least five Board members shall be electors or property owners in the city. The remaining Board members may or may not be electors or property owners in the City.

Term: Three years.

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Davies	Gordon	(248)701-5462	10/24/2022	10/27/2025
969 Bennaville			Alternate	
Birmingham	48009	<i>gordonhdavies@yahoo.com</i>		
Doolittle	Mark	(248) 535-0632	10/24/2022	3/24/2026
1305 S. Bates St			Regular Member at large from a	
Birmingham	48009	<i>mark.j.doolittle@gmail.com</i>	different geographical area of city	
Hanawalt	Sophie		2/27/2023	12/31/2023
			Student representative	

Last Name Home Address	First Name	Home Business E-Mail	Appointed	Term Expires
Hillberg 1853 Fairview Birmingham	Patrick 48009	(248)797-1804 <i>patrick_hillberg@hotmail.com</i>	10/24/2022 Alternate	10/27/2025
Hocker 898 Pilgrim Birmingham	David 48009	(313) 917-4718 <i>dhocker@globalfacilitiesinc.com</i>	11/23/2020 Regular member at large/plan experience	3/24/2025
Peard 645 Suffield Birmingham	Thomas 48009	(248) 770-7761 <i>thomaspeard@yahoo.com</i>	1/13/2020 Urban planning /architecture /design	3/24/2025
Policicchio 236 Pleasant Birmingham	Victoria 48009	(248) 376-6266 <i>vickipolicicchio@gmail.com</i>	1/24/2022 Pedestrian advocate	3/24/2024
Sharma	Angie		2/27/2023 Student representative	12/31/2023

Vacant

3/24/2025

Regular member-at-large from
different geographical areas of the
city

Last Name	First Name	Home Business		
Home Address		E-Mail	Appointed	Term Expires
White	Doug	(248) 825-2223	5/14/2018	3/24/2024
1342 Holland St.			Bicycle/pedestrian advocate	
Birmingham	48009	<i>dwhite10@peoplepc.com</i>		
Zane	Joseph	(248) 563-3381	12/10/2018	3/24/2025
1014 Chestnut St.			Regular Member	
Birmingham	48009	<i>Joseph.Michael.Zane@gmail.com</i>		

ARTICLE II. - MULTI-MODAL TRANSPORTATION BOARD

*Footnotes:**--- (2) ---*

Editor's note— Ord. No. 2138, adopted February 10, 2014, amended article II in its entirety to read as herein set out. Formerly, article II pertained to the traffic and safety board, and derived from the Code of 1963, §§ 10.91—10.96.

Sec. 110-26. - Composition.

- (a) The multi-modal transportation board shall consist of nonvoting ex officio members and seven members appointed by the city commission. The nonvoting ex officio members shall be appointed by the city manager. They may include the city engineer, city planner, police chief, or their designated representative, or other representatives as the city manager deems appropriate. Insofar as possible, the city commission shall appoint members as follows:
- (1) One pedestrian advocate member;
 - (2) One member with a mobility or vision impairment;
 - (3) One member with traffic-focused education and/or experience;
 - (4) One bicycle advocate member;
 - (5) One member with urban planning, architecture or design education and/or experience; and
 - (6) Two members at large living in different geographical areas of the city.

At least five board members shall be electors or property owners in the city. The remaining board members may or may not be electors or property owners in the city.

- (b) The city commission may appoint two alternate members to serve as needed on the multi-modal transportation board during their term of appointment. An alternate member may be called on a rotating basis to sit as a regular member of the multi-modal transportation board in the absence of a regular member. An alternate member may also be called to service in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. An alternate member having been appointed shall serve in the case until a final decision has been made. An alternate member shall have the same voting rights as a regular member of the multi-modal transportation board.

(Ord. No. 2138, 2-10-14; Ord. No. 2200, 9-12-16; Ord. No. 2203, 10-10-16)

Sec. 110-27. - Terms of members.

Initial members of the multi-modal transportation board shall serve for the following terms: two members shall be appointed for one-year terms, two members shall be appointed for two-year terms, and three members shall be appointed for three-year terms. Thereafter, all appointments, except to fill vacancies, shall be for a term of three years. All appointments for the purpose of filling vacancies occurring otherwise than by expiration of term of office shall be for the unexpired term.

(Ord. No. 2138, 2-10-14)

Sec. 110-28. - Compensation.

All members of the multi-modal transportation board shall serve without compensation.

(Ord. No. 2138, 2-10-14)

Sec. 110-29. - Organization.

The multi-modal transportation board shall, from its appointed members, elect a chair who shall be the presiding officer of the board, and a vice-chair who shall serve in the absence of the chair. A secretary, who shall keep and maintain the proceedings of the board, shall be appointed by the board. The secretary need not be a member of the board. The terms of office for such officers shall be one year and until their successors have been elected. The ex officio members of the board may not act as the chair or vice-chair but may serve as secretary.

(Ord. No. 2138, 2-10-14)

Sec. 110-30. - Meetings and quorum.

The multi-modal transportation board shall hold meetings at such time and place as may be established by the board. Special meetings may be called by the secretary at the written request of the chair or any three members of the board on at least two days' notice. A quorum for the transaction of business at the regular and special meetings shall be four appointed members and at least one ex officio member or their designated representative.

(Ord. No. 2138, 2-10-14)

Sec. 110-31. - Scope of authority.

The multi-modal transportation board is a non-administrative board serving solely in an advisory capacity. In that capacity the board may make recommendations to the city commission but may not assume any legislative or administrative authority of the city commission or any department or board

established by the city commission except as specifically provided in this chapter. The multi-modal transportation board is not authorized to expend city funds.

(Ord. No. 2138, 2-10-14)

Sec. 110-32. - Purpose and duties.

The purpose of the multi-modal transportation board shall be to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the city and to advise the city commission on the implementation of the multi-modal transportation plan, including reviewing project phasing and budgeting. In furtherance of its purpose, the board shall endeavor to provide the following:

- (1) Advice on the implementation of the city's multi-modal transportation plan to the city commission.
- (2) Review of the multi-modal transportation plan to assure that it remains current with citywide multi-modal transportation movements and regional transportation plans and initiatives.
- (3) An objective and technical multi-modal evaluation of plans for all road reconstruction and road resurfacing projects, sidewalk and pedestrian crossing projects, intersection or bridge projects, bicycle and transit facility improvement projects.
- (4) An objective and technical evaluation of transportation issues brought to the attention of or identified by the board.
- (5) An objective and technical evaluation of the transportation plan submitted for proposed development or redevelopment, as referred to the board by the planning board.
- (6) An objective and technical multi-modal evaluation of site plans submitted for proposed development or redevelopment, as referred to the board by the planning board.
- (7) An objective and technical multi-modal evaluation of any ordinance amendments related to transportation issues, as referred to the board by the planning board or city commission.
- (8) The application of accepted transportation engineering practices, multi-modal transportation planning and complete streets practices and national standards, including those published by the American Association of State Highway and Transportation Officials, in solving and preventing transportation problems.
- (9) Objective and technical recommendations regarding transportation engineering safety issues to the city commission.
- (10) A forum for the voluntary coordination of groups interested in transportation issues.
- (11) A forum to review and decide appeals of administrative decisions made by the police department on transportation-related regulatory requests under article VII of this chapter.

(Ord. No. 2138, 2-10-14)

Secs. 110-33—110-55. - Reserved.

Birmingham City Commission Minutes
November 27, 2023
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: <https://vimeo.com/884249363>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

City Clerk Bingham called the roll.

Present: Mayor McLain
MPT Schafer
Commissioner Baller
Commissioner Host
Commissioner Long
Commissioner Longe

Absent: Commissioner Haig

Staff: City Manager Ecker; Planning Intern Summer Aldred, City Clerk Bingham, Deputy Clerk Brown, Information Technology Manager Brunk, Assistant City Manager Clemence, City Engineer Coatta, Garage Foreman Check, Planning Director Dupuis, Assistant City Manager Fairbairn, Ice Arena and Facilities Superintendent Folk, Information Technology Assistant Hilla, Finance Director Gerber, Police Chief Grewe, City Attorney Kucharek, Planning/Engineering Assistant Ricketts, Clerical Assistant Spangler, Department of Public Services Director Zielinski

III. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS, INTRODUCTION OF GUESTS AND ANNOUNCEMENTS

Announcements

- The City's Ad Hoc Aging in Place Committee completed an Aging in Place Community Survey. The survey is for residents of all ages and is available in both print form as well as online at engage.bhamgov.org/aginginplace. In an effort to reach as many residents as possible, the City will be mailing a print copy of the Community Survey in every resident's water bill. Respondents may complete the survey in print form and mail it back to the City or drop it off at City Hall, the Baldwin Public Library, The Birmingham Museum or Next. Printed copies of the Community Survey are also available at all of these locations. On December 13, 2023, the Ad Hoc Aging in Place Committee will hold their regular meeting at 6:00 p.m. at the Baldwin Public Library to receive public input from residents as it relates to aging in place. The committee welcomes anyone who wishes to have input into developing a Citywide Aging in Place Action Plan to attend and be heard.

Appointments

The City Manager briefly spoke regarding the NEXT Board. The Mayor noted that she resigned her position on the NEXT Board.

MPT Schafer was appointed as a Board Member for Birmingham Youth Assistance.

11-267-23 Pend — Board of Zoning Appeals

The City Manager reminded the Commission of their previous action regarding this position and Mr. Canvasser.

MOTION: Motion by Commissioner Longe, seconded by MPT Schafer:
To pend the appointment for the regular member position until the Board of Ethics comes back with a decision as to whether there is a conflict.

Commissioner Longe noted that Carl Kona would continue as an alternate member of the Board of Zoning Appeals until the matter was resolved.

ROLL CALL VOTE: Ayes, MPT Schafer
Commissioner Host
Mayor McLain
Commissioner Long
Commissioner Baller
Commissioner Longe

Nays, None

RECOGNITION OF STAFF

- A. City Clerk's Office
 - 1. Mya Brown, Deputy Clerk
 - 2. Savannah Spangler, Clerical Assistant
- B. Planning Department
 - 3. Summer Aldred
 - 4. Ed Ricketts
- C. DPS
 - 5. Connie Folk
 - 6. Chad Check
- D. IT
 - 7. Brent Hilla

IV. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

David Bloom made a comment regarding recent pieces in the Downtown Newsmagazine.

Katie Barda and Ashley Parkinson made comments regarding historic home preservation.

V. CONSENT AGENDA

11-268-23 Consent Agenda

The following items were pulled from the Consent Agenda:

Commr. Host:	Item D – Warrant List – November 23, 2023
Commr. Baller:	Item I – Set Public Hearing to amend Chapter 126 (Zoning), Article 4, Section 4.54 of the Zoning Ordinance to add flexibility to screening requirements for waste receptacles and ground-mounted mechanical/electrical equipment
	Item J – Set Public Hearing for 377 Hamilton Row – Birmingham Sushi Cafe – Special Land Use Permit, Final Site Plan & Design Review
Commr. Longe:	Item E – Special Event Application: 59th Annual Village Fair
Commr. Long:	Item G – Multi-Modal Transportation Board Member Resignation
Mayor McLain:	Item B – Commission Minutes – November 13, 2023

MOTION: Motion by Commissioner Longe, seconded by Commissioner Host:
To move the Consent Agenda excluding Items B, D, E, G, I, and J.

Commissioner Baller noted his recusal from voting on Item E due to a business relationship with the Birmingham Bloomfield Chamber of Commerce.

ROLL CALL VOTE: Ayes, Mayor McLain
Commissioner Host
Commissioner Longe
MPT Schafer
Commissioner Long
Commissioner Baller

Nays, None

- A. Resolution to approve the City Commission Workshop meeting minutes of November 13, 2023.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated November 16, 2023 in the amount of \$1,993,222.77.
- F. Resolution to approve a special event permit as requested by the Birmingham Bloomfield Art Center to hold the 43rd Art Birmingham art fair on May 11 and 12, 2024 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.

- H. Motion to adopt an ordinance amendment to Chapter 114, Utilities, Article II, Water Supply Systems, Division 3 - Fire Protection, section 93, to prohibit the obstruction of fire lanes and fire hydrants.

11-269-23 Commission Minutes – November 13, 2023 (Item B)

MOTION: Motion by Mayor McLain, seconded by Commissioner Long:
To approve the City Commission meeting minutes of November 13, 2023 as amended to fix the spelling of a name.

VOICE VOTE: Ayes, Mayor McLain
Commissioner Host
Commissioner Longe
MPT Schafer
Commissioner Long
Commissioner Baller

Nays, None

11-270-23 Warrant List – November 23, 2023 (Item D)

Commissioner Host noted his recusal from voting on the item due to a check addressed to him on the warrant list.

MOTION: Motion by Commissioner Longe, seconded by Commissioner Baller:
To approve the warrant list, including Automated Clearing House payments, dated November 23, 2023 in the amount of \$1,005,656.02.

ROLL CALL VOTE: Ayes, Mayor McLain
Commissioner Longe
MPT Schafer
Commissioner Long
Commissioner Baller

Nays, None

11-271-23 Special Event Application: 59th Annual Village Fair (Item E)

Joe Bauman, President of the Birmingham Bloomfield Chamber of Commerce (BBCC), answered two informational questions from Commissioner Longe.

The Mayor explained that she always has a concern when a civic asset is used to generate revenue for a private entity. She said 30% was a reasonable amount to be distributed to the BBCC's charitable partners.

MOTION: Motion by Commissioner Longe, seconded by Commissioner Long:
To approve a special event permit as requested by the Birmingham Bloomfield Chamber of Commerce to hold the 59th Annual Village Fair on May 29, 2024 - June 2, 2024 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further

pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.

VOICE VOTE: Ayes, Mayor McLain
 Commissioner Host
 Commissioner Longe
 MPT Schafer
 Commissioner Long

Nays, None

Commissioner Baller noted his recusal from voting on Item E due to a business relationship with the Birmingham Bloomfield Chamber of Commerce.

11-272-23 Multi-Modal Transportation Board Member Resignation (Item G)

Commissioner Long commented on his service on the MMTB and commended Senior Planner Cowan for his work as MMTB Board Liaison.

MOTION: Motion by Commissioner Long, seconded by Commissioner Longe:
To accept the resignation of Anthony Long from the Multi-Modal Transportation Board, to thank him for his service and to direct the City Clerk to begin the process of filling the vacancy.

Commissioner Long encouraged interested members of the public to apply for the vacancy on the MMTB.

VOICE VOTE: Ayes, Mayor McLain
 Commissioner Host
 Commissioner Longe
 MPT Schafer
 Commissioner Long
 Commissioner Baller

Nays, None

11-273-23 Set Public Hearing to amend Chapter 126 (Zoning), Article 4, Section 4.54 of the Zoning Ordinance to add flexibility to screening requirements for waste receptacles and ground-mounted mechanical/electrical equipment (Item I)

Commissioner Baller noted the item for the public.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Longe:
To set a public hearing date of December 18, 2023 to consider amendments to Chapter 126 (Zoning), Article 4, Section 4.54 of the Zoning Ordinance to add flexibility to screening requirements for waste receptacles and ground-mounted mechanical/electrical equipment.

VOICE VOTE: Ayes, Mayor McLain
Commissioner Host
Commissioner Longe
MPT Schafer
Commissioner Long
Commissioner Baller

Nays, None

11-274-23 Set Public Hearing for 377 Hamilton Row – Birmingham Sushi Cafe – Special Land Use Permit, Final Site Plan & Design Review (Item J)

Commissioner Baller noted the item for the public.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Long:
To set a public hearing date of December 18, 2023 to consider the Special Land Use Permit, Final Site Plan and Design Review application for 377 Hamilton Row – Birmingham Sushi Cafe.

VOICE VOTE: Ayes, Mayor McLain
Commissioner Host
Commissioner Longe
MPT Schafer
Commissioner Long
Commissioner Baller

Nays, None

VI. UNFINISHED BUSINESS

11-275-23 Police / City Hall Assessment Review

CM Ecker and PC Grewe introduced the review. Staff answered informational questions from the Commission.

Aaron Olko of Telluris presented the review.

Commissioners made the following comments in the course of discussion:

- The security and space concerns are significant;
- While it was presumed that Police services and City Hall services would be located adjacent to one another, there was no indication that would be necessary. It may be worthwhile to consider locating some of these services elsewhere in the City and/or brainstorming other solutions;
- The community values the City Hall building and it should be modernized;
- The City Hall building needs to be ADA compliant, to be secured, and to have updated mechanicals;
- This project should be limited to necessary improvements;
- The safety and security of building would likely be one of the top priorities;

- The RFP and the contract requested conceptual designs and price points, both in the plural. Instead, this presentation was significantly more detailed, and presented one design with one price;
- The proposal is overly dense for the site, and creates something of a wall opposite the Townsend Hotel and does not enhance the walkability of the community;
- An alternate design that addresses the necessities as well as whether some of the present Police and/or City Hall services could be located elsewhere would be useful. This would also allow any potential addition to City Hall to be greatly reduced in size, scope, and cost;
- It would be helpful to know whether any City departments could be moved elsewhere, and the associated costs;
- It would be important to hear feedback from the Police Department regarding the most functional location for the department;
- If aspects of the Police Department should remain in City Hall, the argument should be made for the colocation of each function;
- It would be helpful to know where other communities locate their Police in relation to their downtowns;
- It could be useful to have a Police desk with some functions in City Hall;
- Locating the Police Department off site could be acceptable if it would not impair safety in any way;
- It would be helpful to hear how improving the City Hall building's ADA compliance and the Police Department's security might impact other aspects of the project;
- This project needs to serve the residents, City Hall employees, the Police Department, and people who visit Birmingham; and,
- It will be necessary to know the most pressing needs, including for maintaining Police Department accreditation, and how a phased project might play out.

VII. NEW BUSINESS

11-276-23 2024-2025 Community Development Block Grant Application Public Hearing

The Mayor opened the public hearing at 9:26 p.m.

FD Gerber summarized the item.

Seeing no public comment, the Mayor closed the public hearing at 9:27 p.m.

Staff answered questions from the Commission.

Members of the public were encouraged to notify the City if they knew of an elderly resident who could benefit from available funds for senior and yard services.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Long:

To adopt a resolution to approve the Program Year 2024 Community Development Block Grant application with the following projects and respective allocations: APPROVED 2024-2025** 1. Public Services – Yard Services \$ 1,694 2. Public Services – Senior Services 3,500 3. Remove Architectural Barriers – Museum Park 29,435 TOTAL \$ 34,629 AND, To authorize the Mayor to sign the application, conflict of interest certification, subrecipient agreement (when available),

and other documents resulting from this application on behalf of the City and submit the documents to Oakland County

ROLL CALL VOTE: Ayes, Mayor McLain
 Commissioner Host
 Commissioner Longe
 MPT Schafer
 Commissioner Long
 Commissioner Baller

Nays, None

**11-277-23 Redding Road Project #9-23 (S)
Hearing of Necessity for Sidewalk Special Assessment District (SAD)**

The Mayor opened the public hearing at 9:33 p.m.

CE Coatta and CA Kucharek presented the item. CA Kucharek noted that a letter from Catherine and Rick Beer, regarding the special assessment, was provided to the Mayor on November 27, 2023. CA Kucharek said she did not know whether it was a letter of protest or merely of displeasure.

Public Comment

Catherine Beer clarified that her letter was meant to indicate both protest and displeasure. Ms. Beer then read the letter to the Commission.

The Mayor closed the public hearing at 9:43 p.m.

Staff answered questions from the Commission.

Commissioners made the following comments in the course of discussion:

- Birmingham's 'A Walkable City' tagline refers back to its decision to implement a complete streets policy, which includes the safety and security of pedestrians and includes sidewalks;
- While an individual homeowner may or may not derive benefit from a sidewalk in front of their home, it does represent a safety improvement for any pedestrians who pass in front of that home;
- While a resident may not be enthusiastic about an assessment to add or repair a sidewalk in front of their home, it is something that nearly every single family residence will experience and means that the costs of adding sidewalks across the City are shared among the residents;
- The City does assume a portion of the financial responsibility for these projects; and,
- City Staff works diligently to analyze and present different options, and those are considered thoroughly.

MOTION: Motion by Commissioner Longe, seconded by MPT Schafer:

WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined to proceed with the project of installing a new sidewalk where no sidewalk exists on Redding Road between Lake Park Drive and the Rouge River; and

WHEREAS, The City has previously established a policy of addressing sidewalk gap closure by installing a new sidewalk where none exists when the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that the Redding Road Project, and installing a new sidewalk where none exists, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, Formal bids have been received and the actual cost of the sidewalk has been determined; and

WHEREAS, The City Engineer has determined the boundaries of new sidewalk located within the limits of the following streets shall be installed as part of the Redding Road Project (Contract #9-23(S)):

Redding Road – Lake Park Drive to Woodward Ave.; and

WHEREAS, The formula used in making the assessment is 85% of the front-foot costs for sidewalk improvement are assessed on all properties fronting on the improvement and 25% of the side-foot costs for improvement are assessed on all residential properties siding on the improvement (estimated at the rate of \$45.00 per foot of sidewalk).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll, and the City Commission directs the City Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a public hearing for December 4, 2023 and give notice for same.

Parcel ID / Sidewell Number	Street Address
19-26-226-016	1401 Old Salem Ct
19-26-226-024	N/A

Commissioner Host opined that since the benefit of sidewalks would be shared by the community, the cost of sidewalk installation should be borne by the community. He said sidewalks should be added west of Chesterfield on Redding.

Commissioner Baller noted that sidewalks are a great asset to the community and benefit every homeowner since they increase property values. While he acknowledged some residents' dissatisfaction with how sidewalk installation is funded, he said he had not heard an alternative funding proposal. He noted that changing the funding method could also impact residents who have already paid to have sidewalks added.

The Mayor explained her experience with being assessed for a sidewalk installation. She thanked residents for participating in the conversation.

Commissioner Long thanked the Beers for their participation. He noted that in their case the City was assuming three-fourths of the cost of the project. The Commissioner then explained his experience of being assessed for a sidewalk installation at one of his previous homes. He noted that the addition of sidewalks also expands the pool of potential buyers of a resident's home.

Public Comment

Ms. Beer supported sidewalks being installed through the use of public funds.

ROLL CALL VOTE: Ayes, Mayor McLain
 Commissioner Longe
 MPT Schafer
 Commissioner Long
 Commissioner Baller

Nays, Commissioner Host

Commission Items for Future Discussion

11-278-23 Public Review Process

MOTION: Motion by Commissioner Baller, seconded by Commissioner Longe:
To have a clarification of the civic improvement process, how the Commission is involved going forward, and some direction from the Commission of how those improvements ought to be handled.

VOICE VOTE: Ayes, Mayor McLain
 Commissioner Host
 Commissioner Longe
 MPT Schafer
 Commissioner Long
 Commissioner Baller

Nays, None

The Commission recessed briefly, and returned from recess.

Commission Discussion On Items From A Prior Meeting

Short Term Rentals

Commissioner Host spoke regarding the item.

Staff answered informational questions from the Commission.

Commissioner Longe opined that the topic had more than sufficient discussion by the Commission already.

11-279-23 Rodent Control Measures

The Mayor spoke regarding the item.

MOTION: Motion by Mayor McLain, seconded by Commissioner Long:
To have additional information going forward on how to share this with the public, and going forward to talk about sustainability, infrastructure, and not poisoning, and that this becomes an agenda item.

Commissioner Host said he was impressed with the report and suggested the City could possibly also be doing more.

The Mayor requested creative guidelines for public outreach and research into subcontractors that deal with the issue creatively without involving poison.

VOICE VOTE: Ayes, Mayor McLain
Commissioner Host
Commissioner Longe
MPT Schafer
Commissioner Long
Commissioner Baller

Nays, None

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Multi Modal Transportation Board
- B. Commissioner Comments

The Mayor suggested that the City Manager's Report be moved to after Announcements and before Appointments on future agendas for the public's benefit.

Staff answered informational questions from the Mayor.

Commissioner Baller said he wanted the opportunity to ask questions regarding the City Manager's Report and suggested it be moved to follow New Business on future agendas.

Commissioner Longe said that moving the City Manager's Report before Appointments was too early on the agenda.

Commissioner Long said moving the City Manager's Report up on the agenda would be for the public's benefit. He explained that beyond moving the City Manager's Report up, it should not otherwise be handled any differently.

The Mayor asked the City Manager to consider the Commission's comments regarding the order of future agendas.

The Mayor noted that Michigan has an ongoing Campaign to End Homelessness and told residents they could access more information about the state action plan. She also noted that if residents have questions for their elected officials, residents can visit their officials' websites to access or request more information.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation

The Mayor noted the State Legislature is recessed until January 2024.

- E. City Staff
 - 1. First Quarter Financial Report
 - 2. First Quarter Investment Report
 - 3. SOCWA Quarterly Report – October 2023
 - 4. Manager's Report

CM Ecker presented the report.

Commissioner Host thanked the City Manager for the information on the Oakland County grant.

Commissioner Baller requested that the Commission receive a copy of the YMCA RFP.

INFORMATION ONLY

XI. ADJOURN

The Mayor adjourned the meeting at 11:14 p.m.



Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist

DRAFT

City of Birmingham City Council
151 Martin Street
Birmingham, MI 48009

Subject: Upcoming Redding Road Construction and Sidewalk Improvement

To Mayor Elaine McLain

Birmingham's current City policy to financially assess property owners for City construction, on City owned property, of common access sidewalks alongside a resident's property is flawed.

The City of Birmingham has chosen to support and proceed with its marketing position as a Walkable City. Upon its adoption, and as the City of Birmingham moves forward with its plan, it should assume full responsible for the cost for common access sidewalks that support and further the "accessibility" objective, and are in the "best interest to the City". Those costs should be funded by public investments, not individual property owners.

Connectivity, the goal of the Multi-Modal Transportation Board, may be goal worthy. But for the Shermans and ourselves who live along city property bordering Redding, the addition of a sidewalk provides no residual value. We have no sidewalks on Old Salem. We are connected to nothing. We can only access the Redding sidewalk, by exiting our property and residential street to Redding, where public access is free to all. It is wrong for a good City to assess its individual residents for public access improvements.

Catherine & Rick Beer
1401 Old Salem Ct.
Birmingham, MI
csbeer1@gmail.com

Birmingham City Commission Special Meeting Minutes - Workshop
December 4, 2023
Municipal Building, 151 Martin
6:15 p.m.

Vimeo Link: <https://vimeo.com/888945671>

This will be considered a workshop session of the City Commission. No formal actions will be taken. The purpose of this workshop is to participate in a discussion regarding the public parking system.

I. Call to Order

Elaine McLain, Mayor

II. Roll Call

City Clerk Bingham called the roll.

Present: Mayor McLain
MPT Schafer
Commissioner Baller
Commissioner Haig
Commissioner Host
Commissioner Long (arrived 6:18 p.m.)
Commissioner Longe

Absent: None

Staff: City Manager Ecker; City Clerk Bingham, Assistant City Manager Clemence, Parking Systems Manager Ford, City Attorney Kucharek

APC Members: Chair Al Vaitas, Vice Chair Richard Astrein; Members James Arpin, Kevin Kozlowski, Michelle Moody

III. Presentation & Discussion

CM Ecker introduced the topic, and PSM Ford presented the topic. Staff answered informational questions from the Commission.

Commissioners made the following comments in the course of discussion:

- The APC members in attendance were thanked for attending;
- The described changes to the parking system would be beneficial, and more changes to governance and management would also likely be beneficial;
- Increased data reporting on parking to both the APC and the Commission would be valuable;
- It would also be worthwhile to run the parking system more like a business in order to retain and increase funds that can be reinvested into the parking system;
- Alternatively, management of the parking system should be focused on managing the interaction with

people who live in, visit, and do business in Birmingham;

- The APC and Commission should be more involved in terms of expenditures and civic improvements, especially since the parking decks are often the source of the first impression visitors to the City have;
- The APC should either be run according to its founding ordinance, or the ordinance should be changed;
- City administration should be commended on the changes to the parking system that have been made so far;
- Some of the aesthetic considerations regarding the parking decks will be improved through the work of the Wayfinding Committee;
- Changing some of the on street parking from one to two hours will decrease on street parking turnover and decrease parking in the decks, which may be counter to the parking system's goals;
- One way of handling a possible one to two hour on street parking shift would be to increase the rates for the on street parking;
- Restriping the decks will need to take structural load into account given the increase in both average vehicle weights and the increased weight of electric vehicles (EV) relative to internal combustion engine vehicles;
- It will be necessary to understand how the structural load will then impact net occupancy, and how that will affect occupancy percentages;
- Since WJE has indicated that increased vehicle weights would not pose an issue in the decks, it would be necessary to receive a written attestation to that fact. The City should also receive a written description of how restriping the garages would affect occupancy;
- Other municipalities are moving EV charging to basements in order to mitigate concerns about the weight of electric vehicles in parking decks;
- A nearby municipality has recently installed a new parking mechanism which has proven controversial. In contrast, Birmingham should continue to provide a parking system that meets the needs of its users;
- It will be interesting to see the effect of increasing the number of employees in the parking systems department;
- Parking circumstances can change significantly in relatively short periods of time, and so it is important for the management of the parking system to remain nimble;
- The plan to have the City manage the parking systems instead of an external contractor will be a beneficial change. This will increase the amount of data and reporting the City will have access to;
- While facilities, operations, and management are improving, the City needs more investment in communication regarding the two free hours in the decks, parking zones, and other parking issues. Dynamic pricing would also necessitate increased communication;
- It would be helpful to discuss whether the parking information included in the 1980 Birmingham Plan is applicable to today, or whether that information should be updated;
- It is important that people are made to feel safe in the parking decks and that wayfinding is reliable enough that they are able to locate their parked vehicle upon returning; and,
- There is anecdotal support among residents for moving on street parking from one hour to two hours.

IV. Public Comment

APC Comment

Chair Vaitas explained how some of the permit parking works.

Vice Chair Astrein explained the importance of one hour meters.

Mr. Kozlowski spoke regarding some of the current challenges of understanding the parking system's financials and utilization. He noted that if parking utilization is permanently decreased from prior to the Covid-19 pandemic, there might be more worthwhile uses for some of the smaller parking areas in the City.

Mr. Arpin asked questions regarding: parking demand in the downtown area, whether it would be useful to determine the demand differences between peak and average parking, and the City's present approach to the former Parking Assessment District. Mr. Arpin also concurred with Mr. Kozlowski about the need for more clarity regarding the parking system's financials.

Ms. Moody noted that introducing EV charging would introduce some operational challenges, and emphasized the importance of ensuring that the EV chargers remain functional.

Public Comment

David Bloom commented on various aspects of the parking system.

V. Adjourn

The Mayor adjourned the meeting at 7:31 p.m.



Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist

Birmingham City Commission Minutes
December 4, 2023
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: <https://vimeo.com/888945671>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

City Clerk Bingham called the roll.

Present: Mayor McLain
MPT Schafer
Commissioner Baller
Commissioner Haig
Commissioner Host
Commissioner Long
Commissioner Longe

Absent: None

Staff: City Manager Ecker; City Clerk Bingham, Assistant City Manager Clemence, Assistant City Manager Fairbairn, Finance Director Gerber, Police Chief Grewe, Deputy Treasurer Katz, City Attorney Kucharek, Birmingham Shopping District Director Sheppard-Decius

III. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS, INTRODUCTION OF GUESTS AND ANNOUNCEMENTS

IV. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

V. CONSENT AGENDA

12-280-23 Consent Agenda

MOTION: Motion by Commissioner Longe, seconded by Commissioner Long:
To move the Consent Agenda as presented.

ROLL CALL VOTE: Ayes, Mayor McLain
Commissioner Host
Commissioner Longe
MPT Schafer

Commissioner Long
Commissioner Baller
Commissioner Haig

Nays, None

- A. Resolution to approve the warrant list, including Automated Clearing House payments, dated November 30, 2023 in the amount of \$544,886.77.
- B. Resolution to approve a special event permit as requested by the Memorial Day Committee to hold the City of Birmingham Memorial Day Service on May 27, 2024 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.
- C. Resolution supporting the Birmingham Shopping District's intent to advance to the Select Level of Main Street Oakland County program.

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

12-281-23 Public Hearing - Redding Road Project #9-23 (S) Confirmation of SAD Roll 906 Redding Road Project - Sidewalk

The Mayor opened the public hearing at 7:41 p.m.

DT Katz presented the item.

Seeing no public comment, the Mayor closed the public hearing at 7:42 p.m.

Staff answered questions from the Commission.

MOTION: Motion by Commissioner Longe, seconded by Commissioner Baller.
To adopt a resolution confirming Special Assessment Roll 906 as follows:

WHEREAS, Special Assessment Roll, designated Roll No. 906, has been heretofore prepared for collection, and

WHEREAS, notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property to be assessed, and

WHEREAS, the Commission has deemed it practicable to cause payment of the cost thereof to be made after the time of construction, and

The Commission Resolution 11-277-23 provided it would meet this 4th day of December, 2023 for the sole purpose of reviewing the assessment roll, and

WHEREAS, at said hearing held this December 4, 2023, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll,

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 906 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in three (3) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of nine and one half percent (9.50%) on all unpaid installments.

Parcel ID / Sidwell Number	Street Address	SAD Assessment
19-26-226-016	1401 Old Salem Ct	\$ 759.00
19-26-226-024	N/A	\$ 1,634.44

\$ 2,393.44

It was noted that no one was present to object to the calculation of the roll, to suggest that the roll had been calculated improperly, or to state that the included addresses were incorrect.

Commissioner Host stated that this special assessment would provide no benefit to the impacted homeowners, and reiterated his contention from the November 27, 2023 meeting that since the benefit of sidewalks would be shared by the community, the cost of sidewalk installation should be borne by the community. He said this process was a microcosm of 'how badly we do things'.

Commissioner Baller noted that at the November 27, 2023 meeting the Commission found, by a majority vote, that there was a necessity for the roll and that the roll would benefit the properties listed. He stated that Commissioner Host's contention that the SAD would provide no benefit to the homeowners was incorrect and inappropriate. He stated that denigrating the operation of the City government was also inappropriate. He said he would comment when inappropriate statements were made.

Commissioner Long said he respectfully disagreed with Commissioner Host. Commissioner Long noted that owners of one of the two affected homes spoke at the November 27, 2023 meeting. He noted that while said homeowners would have preferred that the costs for the improvements be borne by the City, doing so would have been inconsistent with the funding process for every similar project in the City. He said that changing the funding method at this point would be unfair to other homeowners. Commissioner Long also echoed Commissioner Baller's comment that it

had been determined that approval of the roll would result in a benefit to the impacted homeowners.

The Mayor said she thought the record on the matter from the November 27, 2023 meeting was clear. She noted that the law, process, and policies regarding special assessments were reviewed at that meeting. She noted that two Commissioners who previously sat on the Multi-Modal Transportation Board had also explained the complete streets policy, sidewalks, and the fact that those policies represent a benefit to all members of the community.

ROLL CALL VOTE: Ayes, Mayor McLain
 Commissioner Longe
 MPT Schafer
 Commissioner Long
 Commissioner Baller
 Commissioner Haig

 Nays, Commissioner Host

12-282-23 Special Event Application: Brrmingham Blast

BSDD Sheppard-Decius presented the item and answered informational questions from the Commission.

Commissioners made the following comments in the course of discussion:

- The BSD's Winter Markt event was a resounding success;
- It was valuable that Birmingham was moving in the direction of other local communities in adding winter programming, and that said programming was family friendly;
- While it would be beneficial if this event were to grow and add further aspects over time, this was an excellent beginning for the event;
- The BSD's recent Christmas Tree Lighting was phenomenal;
- A member of the public informed a Commissioner that the Winter Markt event was thoroughly enjoyable. If this event would be similar in success to the Winter Markt, it had said Commissioner's support; and,
- The BSD was to be thanked for introducing more events.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Baller:
To make a motion adopting a resolution to approve a special event permit as requested by the Birmingham Shopping District to hold the Brrmingham Blast on January 27, 2024 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.

ROLL CALL VOTE: Ayes, Mayor McLain
 Commissioner Host
 Commissioner Longe
 MPT Schafer
 Commissioner Long

Commissioner Baller
Commissioner Haig

Nays, None

12-283-23 48th District Court 2024 Budget

FD Gerber introduced the item. Patrick Dunn, 48th District Court Administrator, spoke on behalf of the item.

The Mayor thanked FD Gerber and Mr. Dunn for the overview.

Staff and Mr. Dunn answered informational questions from the Commission.

Commissioners made the following comments in the course of discussion:

- It would be valuable for those concerned with the Court budget to watch the meetings from December 2022 when the Court budget was discussed;
- While there is activity the Court is required to undertake, some of that activity does not generate revenue, resulting in the shortfall;
- The 2024 proposed Court budget included a reduction in operational expenses;
- The Court is not a revenue generating system, it is a justice system. As such, it has to have due process, respect for the law, and the ability to serve the population;
- That said, it would be beneficial to explore other appropriate ways to limit the shortfall, including possibly requesting that the State help fund the required, non revenue generating activities;
- Doing so would benefit Birmingham and would benefit other communities as well;
- This topic would be raised at future discussions with Birmingham's state legislators;
- Not all Michigan municipalities fund their respective courts using the same mechanism Birmingham does;
- Since the State pays for the judges' salaries, reducing the number of judges would not result in a meaningful cost savings for the City;
- Birmingham's case load increased making it the largest user by case load. The funding units are only 78.8% by case load in 2023 projected numbers, and if Bloomfield Hills had remained a funding unit, Birmingham's proportion of the case load and costs would have been reduced;
- The traffic cases for the Court increased by over 5,000 cases and Birmingham's increased by over 900 cases, which may have been correlated to the City's increased efforts to reduce noise and speeding on Woodward;
- That increased enforcement effort cost Birmingham money since it increased the case load and amount the City was asked to fund;
- There might be a way to communicate to residents that a request for an increase in services usually results in an increased total cost for those services, as has resulted from the increased enforcement efforts;
- Some of the Court's Special Programs and Services were noted as offering a significant benefit to youth the community; and,
- Decreasing the number of judges from three to two could result in decreased charges up front while increasing charges over time. For instance, people requesting a hearing for their traffic ticket may spend an hour at the Court now. If the number of judges decreases,

it may require that people spend three hours at the Court, and law enforcement present to speak at those hearings would have to be paid for the increased time they spend at the Court during those hearings.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Long:
To adopt a resolution to approve the 48th District Court's 2024 budget as submitted.

Commissioner Host cited his perspective on the Commission's fiscal responsibility to the community in explaining that he would be voting against the budget because of the shortfall.

MPT Schafer said she looked forward to seeing if electronic filing would improve efficiencies in some way.

ROLL CALL VOTE: Ayes, Mayor McLain
Commissioner Longe
MPT Schafer
Commissioner Long
Commissioner Baller
Commissioner Haig

Nays, Commissioner Host

Commission Items for Future Discussion

Commissioner Baller asked that a discussion on the City's civic improvement process be scheduled with urgency.

12-284-23 Parking System Financials

MOTION: Motion by Commissioner Baller, seconded by Commissioner Host:
To talk about directing Staff to provide the Commission with quarterly financial statements on the parking system.

Commissioner Haig said he would be interested in data analysis as well.

ROLL CALL VOTE: Ayes, Mayor McLain
Commissioner Longe
MPT Schafer
Commissioner Long
Commissioner Baller
Commissioner Haig
Commissioner Host

Nays, None

Commission Discussion On Items From A Prior Meeting

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of Intention to appoint the Public Arts Board
 - 2. Notice of Intention to appoint to the Storm Water Utilities Appeals Board
- B. Commissioner Comments

Commissioner Host said the Commission needs to delve into the City's RFP process.

The Mayor spoke about the Santa event in the City, the Retirement Commission meeting, an upcoming meeting with State Senator McMorroo regarding noise and speed on Woodward and why the Legislature is still in recess, an upcoming meeting with Oakland County Commissioner Cavell, the Mayor's intended attendance at the MML's women's group of elected leaders, the Women Officials' Network, and the South Oakland County Mayors' Association meetings, and the Birmingham Bloomfield Chamber of Commerce's upcoming events.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

It was noted that two State Legislators and Oakland County Commissioner Cavell would be in attendance at the next Commission meeting.

Commissioner Host and the Mayor thanked Commissioner Haig for bringing pudding.

INFORMATION ONLY

XI. ADJOURN

The Mayor adjourned the meeting at 8:41 p.m.



Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist

City of Birmingham
Warrant List Dated 12/07/2023

Meeting of 12/18/2023

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
295417	*	000855	48TH DISTRICT COURT	100.00
295418		009699	ADVANCED VETERINARY MEDICAL CENTER	37.75
295419		003708	AIRGAS USA, LLC	100.18
295420		009725	ALL TRAFFIC SOLUTIONS, INC.	18,962.00
295421		009440	ALLIANCE ENTERTAINMENT, LLC	1,266.01
295422	*	009765	ANDREW LARDER UPHOLSTERY	5,237.00
295423	*	007033	APPLIED IMAGING	11,927.53
295424	*	000500	ARTECH PRINTING INC	141.00
295425		006759	AT&T	382.00
295426	*	006759	AT&T	3,141.92
295427	*	009792	GENESYS EMS EDUCATION	4,600.00
295428	*	004027	AUTOMATED BENEFIT SVCS INC	3,143.37
295429		000843	BAKER & TAYLOR BOOKS	17.24
295430		002231	BILLINGS LAWN EQUIPMENT INC.	64.78
295431		003526	BOUND TREE MEDICAL, LLC	125.82
295432	*	009078	CANON SOLUTIONS AMERICA INC	192.18
295433	*	003904	CAPITAL ONE BANK	14,155.06
295437		008006	CLEAR RATE COMMUNICATIONS, INC	1,650.80
295438	*	000627	CONSUMERS ENERGY	1,617.00
295439		008512	COOL THREADS EMBROIDERY	754.92
295440	*	009145	CREATIVE COLLABORATIONS	3,800.00
295441	*	MISC	DAN'S LAWN MAINTENANCE	1,400.00
295442		009715	DAVE'S CONTRACTING, INC.	73,161.00
295443		000575	DEMCO, INC	832.07
295444	*	005125	DEVIN DEROECK	42.00
295445	*	000179	DTE ENERGY	82.41
295446	*	000179	DTE ENERGY	16.88
295447	*	000179	DTE ENERGY	56.71
295448	*	000179	DTE ENERGY	188.05
295449	*	003613	EBSCO INFORMATION SERVICES, INC	20,439.87
295450		000493	ED RINKE CHEVROLET BUICK GMC	1,346.54
295451		008164	GARY EISELE	97.60
295452		008970	ENCODEPLUS, LLC	4,250.00
295453		009425	ENCURATE MOBILE TECHNOLOGY	300.00
295454		004615	ENGLISH GARDENS	2,903.45
295455		001495	ETNA SUPPLY	2,471.20
295456		009196	FIT PRO SERVICES	193.98
295457	*	007314	FLEIS AND VANDENBRINK ENG. INC	15,606.00
295458	*	004604	GORDON FOOD	341.62
295459	*	000245	GREAT LAKES POPCORN CO	564.65
295460	*	001956	HOME DEPOT CREDIT SERVICES	1,372.06
295461		009029	HORIZON COMMUNICATIONS CO. INC	10,493.00

City of Birmingham
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295462		000948	HYDROCORP	1,381.00
295463	*	009559	JENETTE MAITZ	1,155.00
295464	*	005465	RYAN KEARNEY	116.58
295465	*	000362	KROGER COMPANY	9.99
295466		009533	LIBRARY IDEAS, LLC	1,003.94
295467	*	007521	LUIGI FERDINANDI & SON INC	55,735.81
295468		007910	MACALLISTER RENTALS	3,469.50
295469		009663	MACQUEEN EQUIPMENT, LLC	343.85
295470		000888	MCKENNA ASSOCIATES INC	15,070.00
295470	*	000888	MCKENNA ASSOCIATES INC	47,856.38
295471	*	009200	MICHAEL MORRISON	1,100.00
295472		BDREFUND	MICHAEL SHINDER REVOC TRUST	37.50
295473	*	009143	MICHAEL SHUKWIT	250.00
295474		002207	MICHIGAN AUTOMATIC SPRINKLER, INC.	155.00
295475	*	007146	MIDSTATES RECREATION	995.52
295476		009630	MIDWAY CLEANING CO, LLC	800.00
295477	*	006349	MIDWEST COLLABORATIVE	14,538.30
295478		000230	MIKE SAVOIE CHEVROLET INC	327.06
295479	*	007744	MOHAMED F. CHAMMAA	37.99
295480	*	009791	OAKLAND COUNTY REGISTER OF DEEDS	30.00
295481	*	000919	OAKLAND COUNTY TREASURER	2,383.39
295482	*	009478	ODP BUSINESS SOLUTIONS, LLC	880.16
295483		009790	OWENS FENCE, INC.	1,475.00
295484		009612	PLAYAWAY PRODUCTS LLC	149.98
295485	*	000801	POSTMASTER	310.00
295486	*	000801	POSTMASTER	2,400.00
295487		002675	RESERVE ACCOUNT	5,000.00
295488	*	003365	EDWARD ROSETT	230.00
295489		009523	ROYAL ROOFING CO., INC	59,240.00
295490		007098	SHAW SYSTEMS & INTEGRATION	352.00
295491	*	009009	SIGNATURE CLEANING LLC	5,362.99
295492	*	009201	STEPHEN SHUKWIT	1,700.00
295493		004544	STRYKER SALES CORPORATION	425.00
295494		005863	SUCCESS COMMUNICATIONS, INC.	315.00
295495		008944	THE PRINT STOP, INC.	172.50
295496		009552	TRAFFIC & SAFETY CONTROL SYSTEMS	290.00
295497	*	001279	US FIGURE SKATING ASSOC.	35.00
295498	*	000293	VAN DYKE GAS CO.	92.40
295499	*	000158	VERIZON WIRELESS	904.74
295500	*	000158	VERIZON WIRELESS	103.71
295501	*	000158	VERIZON WIRELESS	147.57
295502	*	000158	VERIZON WIRELESS	49.19
295503	*	004497	WATERFORD REGIONAL FIRE DEPT.	404.78

City of Birmingham
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Check Number	Early Release	Vendor #	Vendor	Amount
295504		001490	WEST SHORE FIRE INC	1,955.94
295505		005657	WINTER EQUIP CO, INC	2,100.00
295506		007620	WJE-WISS, JANNEY, ELSTNER ASSOC.INC	30,170.00
295507	*	000309	ZEP SALES AND SERVICE	176.70
SUBTOTAL PAPER CHECK				\$468,815.12
<u>ACH TRANSACTION</u>				
9593	*	008655	ANGELO IAFRATE CONSTRUCTION	997,046.95
9594	*	000282	APOLLO FIRE EQUIPMENT	38,722.13
9595		007875	CANFIELD EQUIPMENT SERVICE INC.	2,350.00
9596		000605	CINTAS CORPORATION	200.07
9597		000605	CINTAS CORPORATION	363.38
9598	*	009435	CITY OF BIRMINGHAM #252	6,052.94
9599	*	009181	DELTA TEMP SERVICES INC	13,545.00
9600	*	007359	DETROIT CHEMICAL & PAPER SUPPLY	255.37
9601		009515	KAMERON DIMITRY	189.30
9602	*	000565	DORNBOS SIGN & SAFETY INC	1,140.38
9603		001077	DUNCAN PARKING TECH INC	740.00
9604		003801	JANA ECKER	500.00
9605		000217	FOUR SEASON RADIATOR SERVICE INC	742.40
9606		007807	G2 CONSULTING GROUP LLC	10,334.38
9606	*	007807	G2 CONSULTING GROUP LLC	15,432.63
9607		001023	GABRIEL, ROEDER, SMITH & CO.	24,500.00
9608	*	001672	HAYES PRECISION INC	795.00
9609		001318	HERC RENTALS	1,642.20
9610	*	008851	INSIGHT INVESTMENT	6,425.28
9611		000261	J.H. HART URBAN FORESTRY	43,940.80
9612	*	003458	JOE'S AUTO PARTS, INC.	1,482.52
9613		000155	JOHNSON CONTROLS SECURITY SOLUTIONS	260.02
9614		004085	KONE INC	1,471.57
9615	*	005876	KROPF MECHANICAL SERVICE COMPANY	1,200.95
9616	*	005550	LEE & ASSOCIATES CO., INC.	2,254.30
9617		009536	LEXIPOL	6,666.00
9618	*	007977	KAREN LINGENFELTER	294.00
9619	*	003527	LOWER HURON SUPPLY CO INC	963.24
9620	*	009706	NORTHSTAR MAT SERVICE	299.74
9621	*	006359	NYE UNIFORM COMPANY	297.00
9622	*	002037	TOTAL ARMORED CAR SERVICE, INC.	281.45
9623		009266	US SIGNAL COMPANY LLC	10,230.04
9624	*	007278	WHITLOCK BUSINESS SYSTEMS, INC.	2,147.34
SUBTOTAL ACH TRANSACTION				\$1,192,766.38

City of Birmingham
Warrant List Dated 12/07/2023

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Check Number	Early Release	Vendor #	Vendor	Amount
GRAND TOTAL				\$1,661,581.50

All bills, invoices and other evidences of claim have been audited and approved for payment.



Mark Gerber
Finance Director/ Treasurer

*-Indicates checks released in advance and prior to commission approval in order to avoid penalty or to meet contractual agreement/obligation.

City of Birmingham

Warrant List Dated 12/14/2023

Meeting of 12/18/2023

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
295508		005430	21ST CENTURY MEDIA- MICHIGAN	1,759.41
295508	*	005430	21ST CENTURY MEDIA- MICHIGAN	2,741.75
295509	*	005430	21ST CENTURY MEDIA- MICHIGAN	299.25
295510	*	005430	21ST CENTURY MEDIA- MICHIGAN	422.25
295511	*	005430	21ST CENTURY MEDIA- MICHIGAN	2,294.66
295512	*	005430	21ST CENTURY MEDIA- MICHIGAN	412.75
295513		005430	21ST CENTURY MEDIA- MICHIGAN	1,572.25
295514	*	005430	21ST CENTURY MEDIA- MICHIGAN	1,237.25
295515	*	005430	21ST CENTURY MEDIA- MICHIGAN	1,029.00
295516	*	005430	21ST CENTURY MEDIA- MICHIGAN	1,645.00
295517		005430	21ST CENTURY MEDIA- MICHIGAN	567.25
295518		BDREFUND	305 ASSOCIATES LLC	100.00
295519	*	000855	48TH DISTRICT COURT	500.00
295520	*	009743	A. MICHAEL DELLER	364.16
295521		BDREFUND	ACTION FENCE CO OF MICHIGAN	150.00
295522	*	007266	AETNA BEHAVIORAL HEALTH LLC	579.09
295523		BDREFUND	APK INVESTMENTS LLC	200.00
295524	*	008977	JOBMATCH LLC DBA APPLICANTPRO	3,059.00
295525		009202	AQUARIUM DESIGN INC	240.00
295526		000500	ARTECH PRINTING INC	226.00
295527		009586	ASPEN OUTDOORS	3,362.00
295528		009358	BEASLEY MEDIA GROUP, LLC	2,000.00
295529		BDREFUND	BENEICKE GROUP INCORPORATED	300.00
295530	*	009535	BIRMINGHAM PAPERS	624.00
295531		BDREFUND	BLAIR, RICHARD T	100.00
295532		003526	BOUND TREE MEDICAL, LLC	135.20
295533	*	009328	BERNARD BREWER	594.16
295534	*	009714	BRITTEN, INC.	3,011.90
295535	*	000434	BRONNER'S COMMERCIAL DISPLAY	258.59
295536		BDREFUND	BUTCHER & BUTCHER CONSTRUCTION COMP	500.00
295537	*	009078	CANON SOLUTIONS AMERICA INC	106.71
295538		MISC	CAROLYN LEVIN	20.00
295539		000444	CDW GOVERNMENT INC	636.79
295540		008243	CHARTER TOWNSHIP OF BLOOMFIELD	7,711.00
295541		BDREFUND	COASTAL DESIGN & BUILD	500.00
295542		009319	COMPTON PRESS INDUSTRIES LLC	3,211.66
295543	*	000627	CONSUMERS ENERGY	968.95
295544		008512	COOL THREADS EMBROIDERY	130.23
295545	*	TAXMISC	CORELOGIC TAX SERVICE	2,378.02
295546		BDREFUND	CRAMER, JOHN DAVID	100.00
295547		BDREFUND	CUNNINGHAM GLASS CO, INC	200.00
295548	*	000179	DTE ENERGY	108.50

City of Birmingham

Warrant List Dated 12/14/2023

Meeting of 12/18/2023

Check Number	Early Release	Vendor #	Vendor	Amount
295549	*	000179	DTE ENERGY	120.30
295550	*	000179	DTE ENERGY	1,767.50
295551	*	000179	DTE ENERGY	172.12
295552	*	000179	DTE ENERGY	2,447.17
295553	*	000179	DTE ENERGY	246.38
295554	*	000179	DTE ENERGY	43.90
295555	*	000179	DTE ENERGY	947.48
295556	*	000179	DTE ENERGY	495.98
295557	*	000179	DTE ENERGY	94.53
295558	*	000180	DTE ENERGY	51,881.82
295559	*	007505	EAGLE LANDSCAPING & SUPPLY	258.00
295560		BDREFUND	EDGE CONSTRUCTION	650.00
295561		BDREFUND	ELYSIAN THE IMAGINE COMPANY	850.00
295562		BDREFUND	ESSCO DEVELOPMENT	500.00
295563		001495	ETNA SUPPLY	3,725.00
295564	*	009690	FAIRYTALE ENTERAINMENT PARTYS INC	363.00
295565	*	001223	FAST SIGNS	120.16
295566		006654	FLEETPRIDE INC	73.96
295567		BDREFUND	FOUNDATION SYSTEMS OF MICHIGAN INC.	300.00
295568		BDREFUND	FOUR SEASONS ROOFING & SHEET METAL	200.00
295569	*	006262	FUSILIER FAMILY FARM & GREENHOUSE	1,175.00
295570	*	009018	GOLF 2 GOLF LIMITED	187.60
295571	*	004703	GROSSE POINTE NEWS	495.00
295572		001447	HALT FIRE INC	108.70
295573		BDREFUND	HANDY HOMETOWN SERVICES	200.00
295574		009527	HFF MICHIGAN HOLDINGS INC	336.98
295575	*	001956	HOME DEPOT CREDIT SERVICES	319.22
295576		BDREFUND	HORTON, JASON M	100.00
295577		BDREFUND	HRH CONSTRUCTION LLC	900.00
295578		BDREFUND	HUNTER COLE HOMES	1,550.00
295579		001090	INGRAM LIBRARY SERVICES	13,481.65
295582	*	009516	HOWARD JACOBS	66.78
295583		BDREFUND	JAMES ESSHAKI	100.00
295584	*	005465	RYAN KEARNEY	203.50
295585	*	002659	CHRISTOPHER KOCH	144.10
295586	*	000362	KROGER COMPANY	52.49
295587		006127	LANDSCAPE FORMS, INC	8,506.73
295588		006817	LEXISNEXIS RISK DATA MANAGEMENT INC	100.00
295589	*	009350	LITTLE GUIDE LLC	4,000.00
295590		008482	MARKIT, INC.	1,188.00
295591		009351	MERRITT CIESLAK DESIGN PLC	2,000.00
295592		BDREFUND	MICHAEL MOCERI INC	200.00
295593		001660	MICHIGAN CAT	1,000.00

City of Birmingham

Warrant List Dated 12/14/2023

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Check Number	Early Release	Vendor #	Vendor	Amount
295594		000230	MIKE SAVOIE CHEVROLET INC	64.61
295595		001950	MILLER CANFIELD PADDOCK AND	560.00
295596		BDREFUND	MR ROOF HOLDING CO LLC	200.00
295597		BDREFUND	N A MANS & SONS INC	500.00
295598		BDREFUND	NC CEMENT	100.00
295599		BDREFUND	OAK ELECTRIC SERVICES INC	200.00
295600	*	000477	OAKLAND COUNTY	979,532.58
295601	*	008657	OCBOA	1,550.00
295602	*	004370	OCCUPATIONAL HEALTH CENTERS	644.00
295603	*	009478	ODP BUSINESS SOLUTIONS, LLC	52.61
295604		006785	OVERDRIVE, INC.	20,773.45
295605		001626	OXFORD OVERHEAD DOOR SALES CO.	1,900.00
295606		009151	PARAGON LABORATORIES INC	1,178.00
295607		BDREFUND	PERRY, JOSHUA	200.00
295608		007823	PITNEY BOWES GLOBAL FINANCIAL	479.25
295609	*	003296	PURCHASE POWER	8,000.00
295610		004137	R & R FIRE TRUCK REPAIR INC	1,699.80
295611		BDREFUND	R. WHITE & SON INC	500.00
295612	*	008342	RAIN MASTER CONTROL SYSTEMS	155.40
295613		BDREFUND	RONNISCHE CONSTRUCTION GROUP	1,000.00
295614	*	009772	RYAN KATZ	20.57
295615	*	008073	SITEONE LANDSCAPE SUPPLY, INC	792.52
295616		BDREFUND	SMOLYANOV HOME IMPROVMENT	100.00
295617		005862	VICTORIA SOWER	166.00
295618	*	007907	SP+ CORPORATION	1,000.00
295619		BDREFUND	STEWART BUILDING	1,000.00
295620		MISC	SUZANNE HATHON	58.00
295621		BDREFUND	SYNOWIEC, PIOTR	200.00
295622		007408	T-MOBILE	705.07
295623		005498	KRISTEN TAIT	70.09
295624	*	001076	TAYLOR FREEZER OF MICH INC	325.00
295625		BDREFUND	TEMPLETON BUILDING COMPANY	500.00
295626	*	009781	DWAYNE LARABELL	750.00
295627	*	009336	THE GREAT DECORATE	2,500.00
295628	*	009775	THE LITTLE DONUT FACTORY, LLC	995.00
295629		BDREFUND	THOMAS SEBOLD & ASSOCIATES, IN	2,500.00
295630	*	009793	TINTZ & GRAPHX LLC	416.25
295631	*	004058	TOP HAT & TAILS CARRIAGE CO INC	5,775.00
295632		BDREFUND	TOWER CONSTRUCTION LLC	500.00
295633	*	004379	TURNER SANITATION, INC	356.81
295634	*	008941	UPTOWN MARKET OF BIRMINGHAM	204.31
295635	*	000293	VAN DYKE GAS CO.	215.60
295636	*	000158	VERIZON WIRELESS	149.61

City of Birmingham

Warrant List Dated 12/14/2023

Meeting of 12/18/2023

Check Number	Early Release	Vendor #	Vendor	Amount
295637	*	000158	VERIZON WIRELESS	76.02
295638	*	000158	VERIZON WIRELESS	153.51
295639	*	000158	VERIZON WIRELESS	1,278.28
295640	*	008986	RANDYL LEE WAGNER	1,955.00
295641		BDREFUND	WALLSIDE INC	500.00
295642	*	008391	XEROX CORPORATION	308.80
295643		BDREFUND	ZANA HOSPITALITY LLC	5,000.00
SUBTOTAL PAPER CHECK				\$1,195,890.97

ACH TRANSACTION

9635		008847	ABS- AUTOMATED BENEFIT SVCS, INC	95.71
9635	*	008847	ABS- AUTOMATED BENEFIT SVCS, INC	35,409.18
9636		000394	AERO FILTER INC	190.00
9637	*	009323	ALEXANDRIA BINGHAM	255.72
9638	*	001797	ALLEGRA MARKETING, PRINT, MAIL	265.32
9639	*	000517	BEIER HOWLETT P.C.	214.50
9640	*	000518	BELL EQUIPMENT COMPANY	418.72
9641	*	008840	BIRMINGHAM PUBLIC SCHOOLS-TAXES	27,499.92
9642	*	000542	BLUE WATER INDUSTRIAL PRODUCTS INC	42.00
9643		009183	BOB ADAMS TOWING	340.00
9644	*	008983	BRENNA SANDLES	447.50
9645		008545	JAIMI BROOK	15.79
9646		007875	CANFIELD EQUIPMENT SERVICE INC.	340.00
9647		000605	CINTAS CORPORATION	200.07
9648		000605	CINTAS CORPORATION	20.00
9649	*	008044	CLUB PROPHET	554.00
9650		002668	CONTRACTORS CLOTHING CO	278.97
9651	*	009557	ZECO, LLC	330.00
9652	*	000565	DORNBOS SIGN & SAFETY INC	53.10
9653	*	006528	DOWNTOWN PUBLICATIONS INC	550.00
9654		001077	DUNCAN PARKING TECH INC	6,393.15
9655	*	009250	ERIKA BASSETT	41.93
9656	*	001023	GABRIEL, ROEDER, SMITH & CO.	1,250.00
9657		002532	GOLLING CHRYSLER JEEP DODGE INC	305.10
9658	*	001672	HAYES PRECISION INC	90.00
9659		001318	HERC RENTALS	2,153.42
9660		000331	HUBBELL ROTH & CLARK INC	34,408.14
9661		000261	J.H. HART URBAN FORESTRY	18,051.57
9662		009298	JCR SUPPLY INC	1,030.65
9663	*	003458	JOE'S AUTO PARTS, INC.	779.17
9664	*	005876	KROPF MECHANICAL SERVICE COMPANY	1,138.50
9665		002438	LAIRD PLASTICS INC	714.00
9665	*	002438	LAIRD PLASTICS INC	339.00
9666		005550	LEE & ASSOCIATES CO., INC.	445.00

City of Birmingham
Warrant List Dated 12/14/2023

Meeting of 12/18/2023

Check Number	Early Release	Vendor #	Vendor	Amount
9667		006409	MOSHER & ASSOCIATES LLC	139.35
9668		004879	MOBILE COMMUNICATIONS AMERICA, INC.	3,776.88
9669		001194	NELSON BROTHERS SEWER	337.00
9670	*	007755	NETWORK SERVICES COMPANY	310.33
9671		001864	NOWAK & FRAUS ENGINEERS	39,388.50
9672	*	008843	OAKLAND COUNTY TREASURER- TAX PYMNT	53,257.54
9673	*	002767	OSCAR W. LARSON CO.	295.00
9674	*	009794	PRINTING SYSTEMS INC.	680.54
9675	*	003785	SIGNS-N-DESIGNS INC	255.00
9676		000254	SOCRRA	86,202.00
9677	*	001097	SOCWA	141,691.03
9678		005861	UNIQUE MGMT SERVICE, INC	51.50
9679	*	009687	WAGEWORKS, INC.	161.00
9680	*	005360	WORRY FREE INC	5,571.00
SUBTOTAL ACH TRANSACTION				\$466,776.80
GRAND TOTAL				\$1,662,667.77

All bills, invoices and other evidences of claim have been audited and approved for payment.



Mark Gerber
Finance Director/ Treasurer

*-Indicates checks released in advance and prior to commission approval in order to avoid penalty or to meet contractual agreement/obligation.



MEMORANDUM

Clerk's Office

DATE: December 12, 2024

TO: Jana Ecker, City Manager

FROM: Alexandria Bingham, City Clerk

SUBJECT: Annual Review of Fee Schedule for 2024

INTRODUCTION:

The City Commission annually reviews and adopts the Schedule of Fees, Charges, Bonds and Insurance. This includes the amount of any bond required to be posted, amount of insurance required to be carried, or fees to obtain any license to engage in the operation, conduct or carrying on of any trade, profession, business or privilege for which a license is required by the provisions of the Birmingham City Code.

BACKGROUND:

Proposed changes are noted as follows on the attached fee schedule:

CHANGE CODES AS LISTED ON THE FEE SCHEDULE	
A	Fee has remained the same for many years
B	Proposed fee covers current costs
C	Pass through costs that reflect actual cost of service
D	Fee consistent with neighboring communities
E	New Fee
F	Increase to cover normal inflationary increase
G	No longer provide this service
H	Other

Departmental Summary of proposed changes:

Clerk's Office

A rework was done of the Open Parking Stations Annual License. Previously, the fee was on an incremental scale with the price dependent on the number of cars. The scale for number of cars was "25 cars or less" with the fee being \$100, "26-50 cars" with a fee of \$125, "51-75 cars"

with a fee of \$150 and "76 or more cars" carrying a fee of \$200. Upon review of previous licenses, all license holders fell into the last category of "76+ cars" with the highest number of cars reaching up to 420 cars. Based upon the review of the previous licenses, it was determined that the "car scale" portion should change to reflect actual parking usage. The new scale has been changed to 25 cars or less with a proposed fee of \$150 annually; 26-50 cars with a proposed annual fee of \$250; 51-75 cars with a proposed fee of \$500; and the last category of 76 or more cars with a proposed fee of \$750 annually.

The proposed changes are an increase to the current charges which have remained the same for many years. This increase allows the cost to reflect the cost of the services and cover inflation.

The second proposed fee change is for the hotel and motel annual license. The current annual renewal fee is \$75. The proposed fee reflects an increase of \$25 to make a total of \$100 for the annual renewal fee. This increase will reflect the actual cost to provide the annual renewal services for the license.

Community Development

Added note under plan examination fees to clarify that costs for structural peer reviews will be charged to the permit applicant.

Increased fees for hearings of the Board of Building Trades Appeals, Housing Board of Appeals and the Zoning Board of Appeals to cover staff time and public notice expenses. Proposed fees will increase \$390 per case to reflect rising staff and publishing costs.

Department of Public Services

Increased Cross-Connection Inspection Fees, the new fee reflects the contracted amount for inspection work by contracted services.

Removed Leisure Activity Pass, this service has not existed for multiple years.

Removed Dumpster Leasing for Multi-Family Units: All units still using this service were notified that this service was scheduled to end in December of 2023.

Added clarification of additional calculated fees for tree removal/ damage per ordinance to the Tree Preservation items.

Water rates increased for meters for water pipe lead sizes 1.5" and larger, these fees have not been updated for some time, and additional costs are due to inflation costs for replacement of meters.

Added new fees to water and sewer connections, specific new fees for New Sewer Service Residential and New Sewer Service Commercial. The rates proposed are consistent with neighboring communities.

Removed Fees for Trench Maintenance in DPS section as the same fee is listed under Engineering.

Engineering

Add clarification to Trench Maintenance Fee being for one lateral/lead and increase fee to cover normal inflationary increase.

Added a new fee for Trench Maintenance Fee if 2 or more laterals/leads to pass through costs that reflects actual cost of service.

Add clarification to Water and Sewer Service Inspection Fee, and Cash Bond for Water/Sewer Inspection.

Reduce Stormwater Utility Fee Credit Application or Renewal to actual pass-through costs.

Fire Department

The Fire Department recommends increasing the 2024 ALS Emergency Transport I, ALS Emergency Transport II, and Basic Emergency Transport along with the Loaded Mile fee to the Blue Cross Blue Shield and Medicare 2024 acceptable payable amounts. This fee increase was recommended by the City's third-party medical billing company MHR. This fee increase helps to offset increased medical supply and personnel costs for 2024.

The administrative Fee-Non-electronic reporting fee is being removed since the Fire Department now requires the building occupancies to submit their inspection reports online.

The Flow test and Fire System Acceptance Test Re-inspection fees are increasing to cover normal inflationary costs.

Police

Labor cost increases for meter head removal / re-install, and DPS labor cost increases for pole removal / re-install. Prior fee did not include new pole replacement (removal of pole destroys it, rendering it not reusable).

Parking

Created a new tab for all things related to parking. Moved valet parking information from the Clerks tab to the newly created parking tab. Also moved all Parking Meters, Parking Permits, Parking Structure Rates, and Parking for Valet Licenses from the Police tab to the newly created Parking tab.

Public Records Policy

FOIA cost increases have not changed in some time, the increase is for inflationary / labor reasons.

LEGAL REVIEW:

The City Attorney has reviewed the fee schedule and is satisfied the fees are reflective of actual costs to the City in compliance with State of Michigan laws.

FISCAL IMPACT:

Most of the proposed changes in the fee schedule are to offset an increase in operating costs. The overall financial impact for the City will be an increase in revenues from charges for services which will keep these costs from being funded by property taxes.

PUBLIC COMMUNICATIONS:

Fee Schedule for Review is included in the Commission packet, which is available online for residents to review and comment as available per standard Commission meeting procedure. Departments will update their information on the website and any appropriate documents to reflect the changes after Commission approval.

SUMMARY:

As a result of the annual review of City fees, City Departments recommend changes as presented in the Draft 2024 Fee Schedule. These recommendations to update this document to reflect current services and any changes relating to the cost of providing these services.

ATTACHMENTS:

- 2024 Proposed Fee Schedule
- Public Records Policy

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to amend the Schedule of Fees, Charges, Bonds and Insurance as presented and to adopt the revised Public Records Policy, effective January 1, 2024.



FEES, CHARGES, BONDS, INSURANCE

The fee required to be paid and the amount of any bond required to be posted, or insurance required to be carried, to obtain any license to engage in the operation, conduct or carrying on of any trade, profession, business or privilege for which a license is required by the provisions of the Code of the City of Birmingham code shall be as hereinafter provided. These fees may be amended by resolution of the City Commission.

Adopted by Resolution #02-18-10 by the Birmingham City Commission at a regular meeting held February 8, 2010, effective February 14, 2010.

A handwritten signature in cursive script that reads "Nancy M. Weiss".

City Clerk

STANDARD INSURANCE REQUIREMENTS

Where insurance is required to be carried to make application for a permit or license, the applicant shall procure and

Workers' compensation insurance. Workers' compensation insurance, including employers' liability coverage, in

Commercial general liability (CGL) insurance. Commercial general liability insurance on an "occurrence basis," with

Motor vehicle liability insurance. Motor vehicle liability insurance, including all applicable no-fault coverages, with

Additional insured. Commercial general liability insurance and motor vehicle liability insurance as described above

Professional liability. Professional liability insurance with limits of not less than \$1,000,000 per claim if providing

Cancellation notice. Thirty days advance written notice of insurance cancellation, non-renewal and/or reduction or

Proof of insurance coverage. The city shall be provided with certificates of insurance evidencing the coverages

Expiration. If any of the above coverages expire, renewal certificates and/or policies must be provided to the city at

Acceptability of insurance company. All coverages shall be with insurance carriers licensed to do business in the

AMENDED RESOLUTION SECTION

2/22/2010	02-030-10	Police - Parking Offenses and Fines
3/8/2010	03-044-10	Engineering - Schedule of Parking Fees
3/8/2010	03-048-10	Fire - EMS Transportation Fees
3/22/2010	03-067-10	Community Development - Vacant Property Registration Fee
5/10/2010	05-118-10	DPS - Water; Finance - Sewer Service Rates
6/14/2010	06-150-10	Engineering - Bidding Document Fee and Private Building Sewer Investigation Program Fee
6/28/2010	06-172-10	DPS - Sewer Lateral Fee
2/14/2011	02-038-11	Clerk - Voter Information Fees, Valet Parking Fee Museum - Research Fee
3/21/2011	03-072-11	DPS - Annual Dog Park Pass
4/11/2011	04-089-11	Clerk - Vendor and Peddler Fees
5/23/2011	05-141-11	DPS & Finance - Water/Sewer Rates
6/27/2011	06-172-11	DPS - Wedding Ceremony Fees
7/25/2011	07-190-11	DPS - Water and Sewer Connection Fees
3/19/2012	03-074-12	Clerk - Alcoholic Beverages for Consumption on the Premises Fee, Animal License Fee, Annual Licenses Criminal Background Check Fee, Frozen Confection Vendor Insurance Requirements Community Development - Lot Division Fee, Temporary Use Permit Fee, Zoning Ordinance Fees, Zoning Compliance Fees. DPS - Water and Sewer Connection Fees, Wedding Rental (Parks) Fee Fire - EMS Transport Service Fee, Fire Code Operational Permits
6/11/2012	06-163-12	DPS - Water; Finance - Sewer Service Rates
9/10/2012	09-257-12	Museum - Allen House Event Request
12/17/2012	12-356-12	Clerk - Cemetery Fees
3/18/2013	03-100-13	DPS - Water and Sewer Connection Fees Community Development - Contractor Registration Fees, Bond Range
5/20/2013	05-163-13	DPS & Finance - Water/Sewer Rates (effective 7/1/13)
7/8/2013	07-203-13	Clerk - Special Event Fees
7/22/2013	07-211-13	DPS - Water/Sewer Connection Fees
12/16/2013	12-356-13	DPS - Water Meter Opt Out Plan Fees
4/28/2014	04-098-14	Community Development - Lot Division Fees, Mechanical & Refrigeration Permit Fees, Zoning
5/19/2014	05-118-14	DPS - Water; Finance - Sewer Service Rates (effective 7/1/14)
7/28/2014	07-187-14	DPS - Grass & Noxious Weeds Civil Infraction
3/30/2015	03-063-15	Clerk - background check fees, DPS - Refuse Collection & Water and Sewer Connection fees, Fire - Hydrant Use fees
4/27/2015	04-086-15	Engineering - Monthly Parking Permit Rates (effective 7/1/15)
5/18/2015	05-112-15	DPS - Water; Finance - Sewer Service Rates (effective 7/1/15)
8/10/2015	08-174-15	Clerk - Cemetery Fees
9/10/2015	09-191-15	Police - Pedicabs & Quadricycle Fees
3/28/2016	03-099-16	Fire - BLS Transportation & Loaded Mile Fees, move Hydrant Fees to DPS section.
6/6/2016	06-183-16	Engineering - Daily Parking Rate at all parking structures (effective 7/1/16)
6/27/2016	06-203-16	DPS - Water; Finance - Sewer Service Rates (effective 7/1/16)
8/8/2016	08-252-16	Community Development - Lot Division Fee for Combination of Platted Lot
12/5/2016	12-364-16	Engineering (DPS) Trench maintenance fee;
12/5/2016	12-364-16	Community Development -Text change; Vents and Exhaust Fans (under 1500 C.F.M.) fee
12/12/2016	12-376-16	Fire Department - Non-electronic reporting Administrative fee
2/27/2017	02-050-17	Engineering - Storm Water Utility Fees & Credits
5/22/2017	05-140-17	Engineering-\$0.50 increase in all parking meter rates;
6/26/2017	06-180-17	DPW & Finance - Water/Sewer Rate Changes for 2017-2018
12/11/2017	12-339-17	Clerk-Removal of Taxicabs due to State law. Community Development-increases in Site
2/26/2018	02-057-18	Community Development - Adding Construction Site Maintenance Violations (Sec. 50-29)
6/25/2018	06-188-18	Water/Sewer Rate Changes for 2018-2019. Effective July 1, 2018.
9/17/2018	09-256-18	City Clerk-Addition, under Alcoholic Beverages Consumption on the Premises, of Administrative
1/28/2019	01-026-19	Clerk: remove passport fee; increase application fee. Building: increase Site Evaluation fees.
10/28/2019	10-259-19	Engineering;Waive fees for replacement of lead water services

11/25/2019	11-280-19	Clerk; Increase fee for Full Burial in Greenwood Cemetery to be consistent with other Oakland
12/16/2019	11-306-19	Engineering-Increase fees for: Right-of-Way Permits, Soil erosion & sediment control permit
1/27/2020	01-025-20	Community Development: Changes in residential site evaluation fees
12/21/2020	12-286-20	Engineering - Increase to bidding document fees
3/22/2021	03-098-21	Grave Price increase for space that accomidates one full burial or up to 3 cremains
4/26/2021	04-127-21	Greenwood Cemetary increases to: grave space accomodating two and one cremains, fee for transfer of ownership, additional equip fees applicable for disinterment, marker installation (single and companion), marker or monument resets, and hourly overtime fee time changes.
10/24/2021	10-268-21	Remove usage of Shain Park Wedding Rental, Increase in wedding rental cost and security deposit for remaining parks
12/13/2021	12-321-21	Addition of Online Application fee for Community Development, Engineering. Transfer of Well (irrigation) permit from DPS to Engineering. Engineering: New fees for 5G small cell work. Addition of Flash Drive fee. Increase in trench maintenance, Engineering for less than 1 acre site, Well permit, Streets & Sidewalk minimum. Fire Dept: increases in ALSII and ALSI emergency transport and BLS emergency transport.
2/14/2022	02-038-22	Community Development: Addition of Wall Art Application fee. Clerk's: Addition of Monthly Meter Rental Fees, removal of Daily and Seasonal Meter fees. Addition of Public Land Rental and Platform Application.
6/15/2022	06-161-22	Water and Sewer rate changes for 2022-2023 in DPS and Finance
7/1/2022	06-171-22	Finance: Sewer service rate changes for 2022-2023
12/5/2022	12-304-22	DPS: Changes to Dumpster rental
12/19/2022	12-309-22	Clerks: Increase in Pet license, Full Casket Interment, Full Casket Disinterment, Foundation
2/10/2023	01-009-23	Engineering - Residential Site Evaluation Service rate increase
5/8/2023	05-106-23	Increase in monthly parking rate for parking structures
5/22/2023	05-119-23	Increases in Sewer and Water charges
7/24/2023	07-174-23	Increase in fees for Greenwood Cemetery
7/24/2023	07-125-23	Increase in fees for parking offenses and fines
12/18/2023	12-???-23	Annual fee schedule review, various changes

CITY CLERK'S OFFICE	FEE	PROPOSED FEE	CHANGE CODE	STAFF
<u>Alcoholic beverages for consumption on the premises</u>				
Initial License	\$1,500.00			
Administrative Applicant Review	\$350.00			
Annual License renewal	\$350.00			
Transfer Application	\$1,500.00			
Annual criminal background check - per person <i>(to be provided by applicant using the Michigan State Police ICHAT system)</i>				
<u>Animals (18-1)</u>				
Stray animal fines: See Police				
Pet dog and cat licenses:				
license for one year or less	\$15.00			
Each additional year, up to 3 years maximum	\$5.00			
license obtained 30 days after expiration	\$20.00			
Kennels:				
Annual license	\$300.00			
Plus for each dog in excess of ten	\$10.00			
<u>Auctions and Estate Sales (126 4.84)</u>				
Application and license	\$100.00			
<u>Bicycle Rental Agencies (122-26) annual license</u>	\$5.00			
Insurance: Motor vehicle liability insurance conforming with Michigan Vehicle Code § 520: \$20,000 per person/\$40,000 per accident for bodily injury claims/\$10,000 for property damage per occurrence.				
<u>Charitable Solicitations (38-1)</u>	No charge			
Annual criminal background check - per person <i>(to be provided by applicant using the Michigan State Police ICHAT system)</i>				
<u>Child Care Facilities (58-106)</u>				
Annual criminal background check - per person <i>(to be provided by applicant using the Michigan State Police ICHAT system)</i>				
Initial investigation: Child Care Center, Group Day Care, Family Day Care	\$100.00			
Annual License: Child Care Center	\$150.00			
Annual License: Group or Family Day Care	\$100.00			
<u>Christmas Tree Sales (26-88)</u>				
December 1 through December 25 - non-profit corporations and merchants assessed for personal property	No charge			
All others	\$100.00			
Deposit for clean up of lot <i>(forfeited if not cleaned up by January 1st.)</i>	\$300.00			
<u>Dancing Schools (26-201)</u>				
Investigation and annual license	\$50.00			
<u>Day Care (See Child Care Facilities)</u>				
<u>Electronic Video Game (14-106)</u>				
Each game, annual license <i>(subject to additional fees and requirements for regulated use)</i>				
<u>FOIA fees - See public records policy (attached)</u>				
<u>Fumigation (58-141)</u>				
Fumigation Contractor, annual license	\$50.00			
Fumigation permit, per event	\$25.00			
Insurance (58-144): Standard insurance requirements plus environmental impairment/pollution liability				
<u>Garage Public (54-26) - Annual license</u>	\$50.00			
<u>Going out of Business (State Law)</u>				
Up to 30 days	\$50.00			
Limit two renewals, each	\$50.00			
<u>Greenwood Cemetery (126-26)</u>				
Grave space accommodating one full burial or three cremations	\$6,000.00			
Additional Rights of Burial for cremated remains, each	\$1,000.00			
Grave space accommodating two cremated remains	\$4,000.00			
Grave space accommodating one cremated remains	\$2,000.00			
Administrative fee for transfer of grave ownership	\$400.00			
Interment and disinterment fees:				
Cremation	\$750.00			
Full Casket Interment	\$1,650.00			
Full Casket Disinterment	\$2,000.00			
<i>*additional equipment fees may apply depending on conditions</i>				
Foundation charges for markers & monuments:				
Foundation Installment - per linear foot	\$150.00			
Marker installation - single	\$300.00			
Marker installation - companion	\$400.00			
Marker or monument resets, reinstallations, raising & leveling:				
Single	\$300.00			
Companion	\$400.00			
<i>*additional fees may apply, depending on scope of work, equipment necessary and time required.</i>				
<i>Foundation installation charge as per above schedule, plus an hourly charge for removal of old foundation</i>				

Weekend, holiday, and overtime interments <i>This fee is in addition to the normal interment fee charged during regular working hours. Hourly overtime fees begin at 2 pm Monday - Saturday</i>	\$400.00			
Horse Drawn Carriages (122-71)				
Company, annual license	\$50.00			
Carriage, each vehicle annual license	\$50.00			
<u>Insurance:</u> Standard insurance requirement, with coverage to include premises liability; personal injury liability; products liability; and horse or horses liability. (122-75)				
Hotels/Motels Annual License				
Annual License	\$75.00	\$100.00	F	MB
1-50 Rooms	\$300.00			
50+ Rooms	\$500.00			
Initial Merchants License:				
Initial Application and license	\$100.00			
Transfer	\$100.00			
Lumberyard Annual License	\$50.00			
Marriage Ceremony Fee	\$10.00			
Mechanical Amusement Device each device annual license <i>(Subject to additional fees and requirements for regulated use.)</i>	\$50.00			
Motor vehicle rentals (122-26)				
Annual license	\$50.00			
<u>Insurance:</u> Motor vehicle liability insurance conforming with Michigan Vehicle Code § 520: \$20,000 per person/\$40,000 per accident for bodily injury claims/\$10,000 for property damage per occurrence.				
Open Parking Stations Annual License (26-428)				
Lots accommodating 25 cars or less	\$100.00	\$150.00	f	mb
Lots accommodating 26-50 cars	\$125.00	\$250.00	f	mb
Lots accommodating 51-75 cars -> (51-100 cars)	\$150.00	\$500.00	f	mb
Lots accommodating 76 cars or more -> (101 or more cars)	\$200.00	\$750.00	f	mb
Outdoor Amusements (14-161)				
Annual license	\$25.00			
Surety bond or cash deposit	\$1,000.00			
Outdoor Dining Annual License				
Annual License	\$200.00			
Amendment to Outdoor Dining license after approval	\$20.00			
<u>Insurance:</u> <u>Workers' Compensation Insurance</u> , including Employer's Liability Insurance, in accordance with all acceptable statutes of the State of Michigan. <u>Commercial General Liability Insurance</u> on an occurrence basis with the limits of liability of not less than				
Outdoor Dining Café Platform Meter Fees <i>See: Police Fee Schedule</i>				
Outdoor Dining Public Land Rental Calculated by Treasury, based on squarefootage of public land used, land value and months used				
Outdoor Dining Temporary Structure/Platform Application <i>See: Community Development; Plan Examination fee for construction up to \$10,000</i>				
Pawnshops				
Initial Application	\$0.00			
Annual License	\$500.00			
Annual criminal background check - per person <i>(to be provided by applicant using the Michigan State Police ICHAT system)</i>				
Precious Metal				
Initial Application	\$0.00			
Annual License	\$500.00			
Peddlers and Commercial Vendors (Chapter 26)				
Annual criminal background check - per person <i>(to be provided by applicant using the Michigan State Police ICHAT system)</i>				
Amendment to a peddler and commercial vendor license after initial approval	\$20.00			
Special Event and School Vendor/Athletic Vendor in City Park				
Application Fee <i>(per event/application)</i>	\$50.00			
Daily Fee <i>(per day/location)</i>	\$10.00			
50% discount for Birmingham licensed merchants				
Frozen Confection Vendor				
Application Fee	\$80.00			
Annual License Fee	\$500.00			
Amendment to the Application	\$26.00			
<u>Insurance: Standard Insurance Requirements</u>				
Peddling				
Application Fee <i>(per event/application)</i>	\$50.00			
Amendment to the Application	\$16.00			
Daily Fee Option <i>(per day/location)</i>	\$10.00			
Yearly Fee Option <i>(calendar year)</i>	\$1,825.00			
Poolroom, each billiard or pool table annual fee	\$50.00			

(subject to additional fees for regulated use)

Refuse Collector: (Chapter 90)

Annual license, one truck included

\$150.00

Each additional truck fee

\$75.00

Insurance: Proof of workers compensation coverage, motor vehicle liability insurance and the VIN number of each vehicle must be provided to the city prior to obtaining a license.

Regulated Uses not otherwise listed Chapter 26:

Initial Application and license

\$1,000.00

Annual license

\$200.00

Rollerskating rinks annual license (Chapter 14)

\$50.00

Special Events (98-140) non-refundable application fee

Annual Application

\$165.00

Initial event investigation

\$200.00

Additional permit fees as determined by administrative staff due two weeks prior to event with insurance documents. Insurance: Standard insurance requirements

Telecommunications

Application fee

\$500.00

Annual maintenance fee as determined by the Metro

Authority pursuant to Act 48 of the Public Acts of 2002

Theatres annual fee 14.26

\$50.00

Voter Information

Daily Absentee Voter List

\$2.00 Daily

Voter Information List

\$15.00

COMMUNITY DEVELOPMENT DEPT.

FEE PROPOSED FEE CHANGE CODE STAFF

Administrative approval (Planning Department)

\$150.00

Brownfield Developments

Application fee non-refundable and non-reimbursable

\$1,500.00

Outside consultant fees reimbursement:

Where a review of applications, plans, construction documents, Brownfield development documents or any other documents is performed by outside consultants engaged by the city, a review fee shall be charged at 1.05 times the actual cost. Payment shall be in advance of the review based on estimated cost.

Building Permits (Chapter 22)

Online Application Fee

\$2.00

(a) Building permit fees:

The building permit fee is determined from the total construction value as shown in the most recent edition of the ICC Building Valuation Data Square foot construction costs. For all use groups the minimum square foot construction cost is 100% of the value shown in construction costs table; for renovations the minimum square foot construction costs is 50% of the value shown in the table

(b) Total Construction Valuation:

Building Permit fees are computed at \$90.00 for the first \$1,000 of construction valuation; \$10.00 for each additional \$1,000 (or fraction thereof) up to \$100,000 of construction valuation; and \$15.00 for each additional \$1,000 (or fraction thereof) over \$100,000 of construction valuation.

(c) Refunds:

Refunds of any permit fees are subject to a minimum of 25 percent for administrative services with no construction work commencing. After construction has started, fees will be refunded proportionately as determined by the building official. Any permit fee for construction that is 75 percent or more completed will not be refunded.

(d) Plan examination fees:

When a plan is required to be submitted, a plan review fee must be paid at the time of submitting plans and specifications for review. The review fee shall be \$90.00 for projects up to \$10,000 in construction value; all other plan examination fees shall be computed as shown below:

Construction value up to \$10,000

\$90.00

Construction Value from \$10,001 to \$500,000

Construction value

multiplied by 0.0020

\$150.00

\$175.00

minimum

Construction Value over \$500,000

\$1,000 plus

construction value

multiplied by

0.0010

The building plan review fee shall be multiplied by 1.25 when MEAP reviews are required.

Fees charged by consultants for structural peer reviews are billed to the permit applicant.

C

BRJ

An administrative fee equal to the permit fee may be charged in addition to the permit fee, when work is started and/or completed without first obtaining the permit. Plan review fees are not

(e) Construction Bonds

In addition to the required building permit fee, a cash bond must be posted at the time the permit is issued in accordance with the following schedule:

Construction value between \$0-\$10,000

\$100.00

Construction value between \$10,001-\$50,000

\$200.00

Construction value between \$50,001-\$100,000

\$300.00

Construction value between \$100,001-\$500,000

\$500.00

Construction value of \$500,001 and up

\$1,000.00

Swimming Pools

\$1,000.00

Window Permits

\$500.00

Upon satisfactory completion of all final inspections required, and the issuance of a certificate of occupancy, if applicable, the construction bond will be returned upon request without interest.

(f) A reinspection fee may be required by the building official

\$50.00

(g) Bonding requirements for a temporary certificate of occupancy:

When a temporary certificate of occupancy is issued prior to completion of the entire work covered by the permit, a cash bond shall be posted in an amount as determined by the building official up to \$60,000 for residential dwellings and \$150,000 for commercial buildings or spaces based on the cost of completing all remaining and outstanding work.

(h) Bonding requirements for maintenance and replacements costs of public right-of-way facilities:

A bond shall be posted prior to the issuance of a building permit for new construction in the amount of \$5,000 to assure that the public right-of-way is properly maintained at all times during construction. This includes the replacement of city sidewalk, curb and gutter, and the re-establishment of green space in the public right-of-way.

Board of Building Trades Appeals

Single family residential	\$310.00	\$700.00	A,B	BRJ
All other construction	\$510.00	\$900.00	A,B	BRJ

Construction Site Maintenance Violations (Sec. 50-29)

Municipal Civil Infraction Penalty	\$100.00
First Offense	\$250.00
Second Offense	\$500.00
Subsequent Offenses	\$500.00
Building Permit Holders	
Five or more violations at same site within one calendar month	\$500.00

Contractor Annual Registration Fees

Building Contractor	\$25.00
Electrical Contractor	\$25.00
Mechanical Contractor	\$5.00
Plumbing Contractor	\$15.00

Demolition of Buildings

Online Application Fee	\$2.00
Less than 3,000 cubic feet	\$125.00
3,000 to 50,000 cubic feet	\$200.00
More than 50,000 cubic feet	\$300.00
Performance cash bond:	
Minimum (as determined by the building official)	\$100.00
Maximum (as determined by the building official)	\$50,000.00

Electrical Installation (Chapter 22)

Online Application Fee	\$2.00
Base fee	\$55.00
Reinspection Fee	\$50.00
120 volt or 277 volt first circuit	\$15.00
120 volt or 277 volt each additional circuit	\$8.00
Each 208V, 240V, 480V branch circuits	\$20.00
First 25 lights, receptacles and switches	\$20.00
Each additional set of 20	\$15.00
First sign	\$50.00
Feeders/Buss Ducts:	
First 100 feet	\$25.00
Over 100 feet	\$15.00
Commercial fire alarms:	
Fire alarm panel	\$30.00
Each alarm device	\$10.00
Residential smoke detectors up to 8 units, 120 volts	\$20.00
Low voltage smoke alarm with panel	\$50.00
Residential smoke alarm system less than 50 volts with panel	\$50.00
Services or transformers:	
30 AMP to 200 AMP	\$35.00
201 AMP to 400 AMP	\$50.00
Over 401 AMP	\$100.00
A/C Interrupt service	\$20.00
Temporary service up to 200 AMP	\$40.00
Sub panel: Sidewalk inspection req:	
Each additional sign	\$20.00
Each residential A/C	\$35.00
Furnace/unit heaters	\$20.00
Pools/hot tubs/spas	\$50.00
Appliances/disposal/dishwashers	\$10.00
Commercial HVAC:	
5 ton or less each	\$50.00
Over 5 ton each	\$75.00
Motors - Commercial only:	
1/4 HP up to 10 HP each	\$25.00
Over 10 HP to 30 HP each	\$40.00
Over 30 HP each	\$60.00

New house construction minimum of four inspections requires an administrative fee equal to the permit fee may be charged in addition to the permit fee when work is started and/or completed without first obtaining the permit.

Equipment installation permit fee

\$10.00

Final site inspection fee (Planning Dept.)

\$100.00

Housing:

Housing Board of Appeals Fee:				
Residential dwelling unit	\$310.00	\$700.00	A,B	BRJ
Other - Commercial	\$510.00	\$900.00	A,B	BRJ

Housing Inspections Owner Authorized:

One and two-family dwellings:	
Building structure fee per dwelling unit	\$200.00
Electrical fee per dwelling unit	\$100.00
Plumbing fee per dwelling unit	\$100.00
Heating and refrigeration fee per dwelling unit	\$100.00

Landlord Licenses (See Rental Properties)**Lot Division (Chapter 102):**

Fee per parcel created from each platted or unplatted lot (<i>lot splits</i>)	\$200.00
Boundary Adjustment for single family dwelling:	
Separation of platted lots (<i>fee per each lot</i>)	\$250.00
Combination of platted lots (<i>fee per each lot</i>)	\$250.00

Massage Permits (26-251):

Investigation fee to operate massage facility (<i>subject to additional fees for regulated use</i>)	\$250.00
Investigation fee to perform massage service	\$25.00
Change of location (<i>subject to additional fees for regulated use</i>)	\$100.00

Mechanical Permits:

Online Application Fee	\$2.00
Base Fee	\$55.00
Gas/oil furnace/boilers, etc:	
100,000 BTU or less	\$60.00
Over 100,000	\$70.00
Over 500,000	\$80.00
Ductwork	\$50.00
V.A.V. boxes (variable air volume) each	\$30.00
Humidified or air cleaner	\$30.00
Mfg, fireplace (gas or solid fuel), stoves (solid fuel) includes chimney	\$30.00
Gas or oil space heaters	\$30.00
Automatic flue damper	\$25.00
as part of furnace	\$10.00
Gas piping - first two openings	\$30.00
additional openings each	\$5.00
Air handling systems:	
Vents & Exhaust Fans:	
Under 1,500 c.f.m. each	\$15.00
1,500 to 10,000 c.f.m. each	\$35.00
Over 10,000 c.f.m. each	\$55.00
Heat Pumps:	
To 50,000 BTU	\$30.00
To 200,000 BTU	\$40.00
To 500,000 BTU	\$50.00
Over 500,000 BTU	\$75.00
Fire Suppression Systems:	
Standpipe systems:	
2-1/2" thru 4"	\$50.00
Over 4"	\$70.00
Fire pumps & connections	\$75.00
Fire sprinkler system:	
First head up to 20 heads	\$50.00
Each additional head	\$3.00
Hood and duct fire suppression systems:	
Each establishment system- minimum	\$75.00
Each additional system at same establishment	\$30.00
Refrigeration:	
Self contained refrigeration systems	\$40.00
Remote refrigeration systems:	
Up to 10 HP	\$50.00
10 HP up to 50 HP	\$70.00
Over 50 HP	\$95.00
Water heater	\$30.00
Chimney liner	\$20.00
Hydronic Floor Heat:	
Up to 2,000 square feet	\$50.00
Over 2,000 square feet	\$60.00
Geo Thermal:	
Up to 100,000 BTU	\$75.00
Over 100,000 BTU	\$90.00
Additional reinspection	\$50.00
Reinspection fee	\$50.00
<i>An administrative fee equal to the permit fee may be charged in addition to the permit fee, when work is started and/or completed without first obtaining the permit.</i>	

Newsracks (90-160)

Review fee for each newsrack box	\$50.00
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Annual registration for each newsrack box	\$50.00
Plumbing Permits	
Online Application Fee	\$2.00
Base Fee	\$55.00
Automatic washer	\$15.00
Backflow preventer	\$25.00
Bathtub	\$15.00
Catchbasin	\$50.00
Dental Chair	\$15.00
Dishwasher	\$20.00
Drains to 6 inches	\$25.00
Drains over 6 inches	\$40.00
Drinking fountain	\$15.00
Floor drain	\$15.00
Garbage disposal	\$15.00
Grease trap	\$30.00
Hose bibbs	\$15.00
Humidifier	\$15.00
Inside drain (weep tile)	\$15.00
Laundry tray	\$15.00
Lavatory	\$15.00
Lawn sprinkler - including Backflow Device	\$50.00
Miscellaneous equipment	\$15.00
Reinspection fee	\$50.00
Roof sump	\$15.00
Safe waste	\$15.00
Sewers to 6 inches	\$50.00
Sewers to 8 inches	\$60.00
Sewers to 10 inches	\$75.00
Sewers to 12 inches	\$100.00
Sewers over 13 inches	\$100.00
Shower trap	\$15.00
Stacks, conductors	\$15.00
Stand pipe	\$15.00
Sump w. pump	\$30.00
Urinal	\$15.00
Water closet	\$15.00
Water distribution:	
3/4 inch	\$30.00
1 inch	\$30.00
1 1/4 inch and 1 1/2 inch	\$35.00
2 inches	\$45.00
3 inches	\$60.00
4 inches	\$70.00
Over 4 inches	\$75.00
Water Heater	\$30.00
Water service:	
1 inch	\$65.00
1 1/2 inch	\$65.00
2 inches	\$65.00
Over 2 inches	\$125.00
Additional Inspection	\$50.00
Reinspections	\$50.00
<i>An administrative fee equal to the permit fee may be charged in addition to the permit fee, when work is started and/or completed without first obtaining the permit.</i>	
Production filming fees 114-168:	
Permit application fee (non-refundable):	
Motion picture, television, or video on private property only	\$125.00
Motion picture, television, or video on public property	\$225.00
Still photography only on private property	\$50.00
Still photography only on public property	\$100.00
<i>Additional fee for expedited processing if less than normal processing time is required. (Late application processed at the discretion of the city manager or his/her designee)</i>	\$150.00
Daily public property use fee (from prep to clean-up time):	
Motion picture, television, or video, per day	\$75.00
Public property location holding - per day	\$75.00
On-street base camp - per day (if approved)	\$25.00
Parking space rental - per day	current rate
Extended hours of permitted filming activity:	
Any film permitted activity beyond 7:00 a.m. to 7:00 p.m. or driving scenes on major, minor, or neighborhood roads requiring special barricades, noticing, and/or public safety personnel (hourly rates for staff time to be calculated and charged separately).	\$75.00
Security deposit:	

A refundable security deposit may be required to cover any unanticipated city staff costs, clean-up costs, refund fees to user groups affected by the film permit activities, and/or other expenses not included/anticipated in the initial film permit fee calculation. \$500.00

Staff costs:

Monitoring fee for additional police, fire, ordinance enforcement, public works, recreation and parks, or other staff as determined by the city manager or his/her designee; fee will be estimated based on hours needed and scheduled. Staff time to be based on most current city overtime rate schedule and calculated and paid in advance of film permit activities.

Insurance: (Sec 14-172 (5) (6) (8) Standard insurance requirement plus limits of liability of not less than \$5,000,000 per occurrence in the event motor vehicles, aircraft, helicopters, explosives or pyrotechnics are used in the activity. Also, the permittee shall execute a hold-harmless agreement as provided by the city prior to the issuance of any permit.

Rental Properties

Fee for rented or leased premises:

First unit \$125.00

For properties containing more than one unit:

Add, per additional unit or common/exterior area, to the one-unit fee \$40.00

Additional re-inspection fee for rental properties requiring additional inspections, plus \$25.00 for each additional unit beyond the first unit. \$75.00

The fee shall be increased by 50 percent for any application received more than 30 days after the required renewal date.

Signs (Chapter 86)

Online Application Fee \$2.00

Construction \$50.00

Temporary - non-residential zone districts - permit per 30 square feet or fraction 86-133 \$50.00

Temporary - churches in residential zone districts 86-70 \$25.00

Marquee and roof annual fee \$200.00

Others:

Permit per square foot \$2.00

Minimum \$100.00

Inspection fee every three years \$50.00

Removal fee 86-59 86-111 \$50.00

Sign impound fee, per sign \$25.00

Sign inspection bonds per required inspection \$200.00

Sign Erectors (Chapter 86)

Original license \$25.00

Renewal - annual fee \$15.00

Bond \$5,000.00

Sign Removal:

Failure to comply with notice to remove, daily fine to commence on 31st day after notice to remove is issued. \$25.00

Site Evaluation

Base Fee \$50.00

Online Application Fee \$2.00

New house (including one revision) *effective 3/1/2023* \$525.00

Addition (including one revision) *effective 3/1/2023* \$400.00

Additional reviews (after one revision included in initial fee) *effective 3/1/2023* \$175.00

Each review for applicant initiated change *effective 3/1/2023* \$250.00

Accessory structure and impervious surfaces \$125.00

Final Grade Inspection & As-built Survey Review (initial) *effective 3/1/2023* \$325.00

Additional Final Grade Inspection & As-Built Survey Reviews *effective 3/1/2023* \$175.00

Special Land Use Permits (See Zoning)**Subdivision plats (Chapter 102)**

Tentative preliminary plat approval \$2,500.00

Additional fee per lot \$10.00

Final preliminary plat approval \$1,000.00

Temporary Structure (Tents, Canopies, etc)

Online Application Fee \$2.00

Original permit \$100.00

Renewal \$25.00

Plan checking fee \$50.00

Temporary Use Permit \$100.00

Vacant Property Registration Fee

Residential \$100.00

Commercial \$100.00

Safety and maintenance inspection \$75.00

Administrative costs: Inspector per hour \$55.00

Support staff per hour \$45.00

Sanctions, remedies, penalties:

First offense \$150.00

Second offense and any other \$500.00

Zoning Ordinance Fees

Online Application Fee	\$2.00			
Board of Appeals				
Single family residential	\$310.00	\$700.00	A,B	BRJ
All others	\$510.00	\$900.00	A,B	BRJ
Community Impact Review	\$2,700.00			
Design review fee	\$450.00			
Historic district review				
Single family residential district	\$0.00			
All other zone districts	\$450.00			
Public notice signs for land development applications				
Fee	\$50.00			
Deposit	\$100.00			
Site Plan Review				
R-4 through R-8 zone districts fee	\$1,200.00			
Plus, per dwelling unit affected by minor construction or minor site plan changes, as determined by the planning director	\$50.00			
Or, plus, for each dwelling unit in the entire complex for all other site plan changes, as determined by the planning director	\$50.00			
Non-residential districts fee	\$1,400.00			
Plus per acre or fraction thereof	\$50.00			
Special Land Use Permits				
*Special land use	\$1,100.00			
Plus, site plan review	\$1,400.00			
Plus, design review	\$450.00			
Plus, publish of legal notice	\$700.00			
Annual renewal fee	\$200.00			
Temporary Use Permit	\$150.00			
Wall Art Application	\$200.00			
Zoning Compliance Letters	\$75.00			
Zoning Compliance Permit Fees				
Online Application Fee	\$2.00			
Accessory Structures Under 200 Square Feet	\$150.00			
Fence Permit - <i>Single Family Zoned Districts</i>	\$50.00			
Impervious Surface (driveway, patio, etc.) <i>Single Family Zoned Districts</i>	\$150.00			
Zoning Ordinance Interpretation (Formal Report)				
One & two family zone districts	\$125.00			
All other zone districts	\$175.00			

THE FEES FOR DESIGN REVIEW, SITE PLAN REVIEW, HISTORIC DISTRICT REVIEW AND SPECIAL LAND USE PERMITS SHALL BE DOUBLE THE LISTED AMOUNTS IN THE EVENT THE PROPOSED PROJECT IS COMMENCED PRIOR TO FILING OF AN APPLICATION FOR REVIEW BY THE CITY.

* Special Land Use permit fees may be waived or reduced at the discretion of the City Manager where an amendment is sought by the applicant to change the name of the establishment, or remove parties from the permit when it involves a liquor license associated SLUP.

DEPARTMENT OF PUBLIC SERVICES	FEES	PROPOSED FEE	CHANGE CODE	STAFF
<u>Cross Connections Inspections/ Re-Inspections (114-122)</u>				
Fee	\$50.00	\$115.00	c	SZ
Plus, a per hour charge, to be charged at 1/4 hour increments, per city employee or city representative for the time spent on such inspections or re-inspections concerning a particular water consumer.				
Device test report review, per report	\$10.00			
<u>Dog Park Annual Pass:</u>				
Resident	\$50.00			
Non-Resident	\$200.00			
<u>Golf Course Fees - Adjusted annually by resolution of City Commission with recommendation of Parks and Recreation Board</u>				
<u>Grass & Weed Violations (118-66 to 118-68)</u>				
Cutting charge for properties less than or equal to 50 feet wide	\$135.00			
Cutting charge for properties greater than 50 feet wide	\$200.00			
Municipal Civil Infraction Fine (in addition to cutting charge):				
First Offense	\$50.00			
Second Offense	\$100.00			
Third Offense	\$200.00			
All violations after the third	\$200.00			
<u>Hydrant Use</u>				
Deposit (if required as determined by Fire Chief)	\$100.00			
Permit Fee	\$160.00			
Water Charge	\$64.75			
Includes 5000 gallons at standard charge. Water charge in excess of 5000 gallons will be charged at double rate \$25.90 per thousand gallons.	\$25.90			
<u>Hydrant Repair</u>				
To be calculated by DPS, Will include labor, equipment, material				
<u>Ice Arena Fees - Annual evaluation at budget</u>				
<u>Leisure Activity Pass:</u>			G	SZ
First year	\$15.00			
Revalidate/Replace for subsequent seasons	\$10.00			
<u>Dumpster Leasing for multi-family units (Chapter 90)-</u>		NA	G	SZ
Monthly lease fee for city-owned 2-yard dumpster	\$40.00			
<u>Snow Removal from Sidewalks (98-66 - 98-68) - minimum charge</u>	\$100.00			
<u>Tree Preservation (Chapter 118)</u>				
Registration for tree service business	\$100.00			
Sanctions, remedies, penalties:				
First offense, per tree (+ ISA or Michigan Shade Tree Evaluation Guide calculated approximate value	\$500.00			SZ
Second offense, per tree (+ ISA or Michigan Shade Tree Evaluation Guide calculated approximate	\$1,000.00			SZ
<u>Water</u>				
Customer requested service, emergency, 2 hr. minimum <i>plus equipment and materials if applicable</i>	\$200.00			
Meter department service fee, <i>plus equipment and materials if applicable</i>	\$80.00			
Meter department service fee for no show appointment	\$40.00			
Final meter reading without 24 hour notice (<i>Same day reading request</i>)	\$150.00			
Stop box construction deposit (<i>includes \$100 inspection \$400 refundable</i>)	\$500.00			
Curb box and lid repair (<i>done by city</i>)	\$500.00			
Opt Out Plan Meter Reading Fee	\$12.02			
Frozen water service line thaw - first visit	no charge			
Frozen water service line thaw - second visit and beyond (<i>\$200 minimum</i>)	time &			
<u>Water</u>				
Additional charge for water used:				
For each 1,000 gallons or part thereof	\$6.13			
Service of notice of intent to discontinue service for non-payment of charges (114-303)	\$50.00			
Meter department service fee	\$80.00			
Meter department service fee for no show appointment	\$40.00			
Final meter reading without 24 hour notice	\$150.00			
Stop box construction deposit (<i>includes \$100 inspection \$400 refundable</i>)	\$500.00			
Curb box and lid repair (<i>done by city</i>)	\$500.00			
<u>Water Rates</u>				
Meter Size				
5/8" Quarterly fixed charge	\$5.00			
5/8" Monthly fixed charge	\$1.67			
1" Quarterly fixed charge	\$8.00			
1" Monthly fixed charge	\$2.67			
1 1/2" Quarterly fixed charge	\$12.00	\$24.00	A, F	SZ
1 1/2" Monthly fixed charge	\$4.00	\$8.00	A, F	SZ
2" Quarterly fixed charge	\$16.00	\$40.56	A, F	SZ
2" Monthly fixed charge	\$5.33	\$13.52	A, F	SZ
3" Quarterly fixed charge	\$24.00	\$54.00	A, F	SZ
3" Monthly fixed charge	\$8.00	\$18.00	A, F	SZ

4" Quarterly fixed charge	\$32.00	\$90.00	A, F	SZ
4" Monthly fixed charge	\$10.67	\$30.00	A, F	SZ
6" Quarterly fixed charge	\$48.00	\$123.00	A, F	SZ
6" Monthly fixed charge	\$16.00	\$41.00	A, F	SZ
8" Quarterly fixed charge	\$64.00	\$198.00	A, F	SZ
8" Monthly fixed charge	\$21.33	\$66.00	A, F	SZ
Special charges to the city				
Annual charge for fire hydrants	\$18.50			
Annual charge for drinking fountains	\$20.00			
Water & Sewer Connections (Chapter 114):				
New Sewer Service Residential - Single Trench (<i>Trench width of a single trench is defined as 4ft wide at</i>		\$2,000.00	E, D	SZ
New Sewer Service Commercial - To be determined based on type and use (<i>s.q. & type of use</i>)		----	E, D	SZ
Water Service Only - Single Trench				
Easement 1":				
Service Install	\$1,790.00			
Water Meter, MTU, Brass Meter Spuds, and Trip	\$657.00			
Water for Construction	\$50.00			
Total	\$2,497.00			
Easement 1 1/2":				
Service Install	\$2,010.00			
Water Meter, MTU, Brass Meter Flanges, and Trip	\$1,850.00			
Water for Construction	\$70.00			
Total	\$3,930.00			
Easement 2":				
Service Install	\$2,210.00			
Water Meter, MTU, Brass Meter Flanges, and Trip	\$2,060.00			
Water for Construction	\$95.00			
Total	\$4,365.00			
All Paved Surfaces 1":				
Service Install	\$3,950.00			
Water Meter, MTU, Brass Meter Spuds, and Trip	\$657.00			
Water for Construction	\$50.00			
Total	\$4,657.00			
All Paved Surfaces 1 1/2":				
Service Install	\$4,270.00			
Water Meter, MTU, Brass Meter Flanges, and Trip	\$1,850.00			
Water for Construction	\$70.00			
Total	\$6,190.00			
All Paved Surfaces 2":				
Service Install	\$4,630.00			
Water Meter, MTU, Brass Meter Flanges, and Trip	\$2,060.00			
Water for Construction	\$95.00			
Total	\$6,785.00			
Water for construction rates on larger services:				
3"	\$120.00			
4"	\$190.00			
6"	\$330.00			
8"	\$465.00			
<i>(Prices on water services over 2" in size will be determined by (DPS) on a time and material basis. A deposit will be made for the estimated cost as determined by DPS.)</i>				
5/8" meter	\$120.00			
1" meter	\$180.00			
1 1/2" meter	\$1,320.00			
2" meter	\$1,525.00			
<i>(Price to be obtained from meter department for any water meter larger than 2")</i>				
Meter Transceiver Unit (MTU)	\$135.00			
1" Brass Meter Spuds	\$22.00			
1.5" Brass Meter Flanges	\$75.00			
2" Brass Meter Flanges	\$80.00			
Inspection fee when trenching not done by DPS per service	\$400.00			
Water disconnection fee:				
Water service disconnection at property line if service will be reused (<i>1" or larger copper water services only</i>)	\$1,000.00			
2" service or smaller	\$1,850.00			
4" service or greater to be determined individually by the DPS				
Fees for trench maintenance	\$800.00	NA	H	SZ
Refundable deposit	\$1,000.00			
Wedding Rental (Parks)	\$100.00			
All City Parks (weekdays/weekends) (<i>excluding Shain Park</i>)				
Resident	\$200.00			
Non-Resident	\$400.00			

Security Deposit	\$100.00			
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ENGINEERING		FEE	PROPOSED FEE	CHANGE CODE	STAFF
<u>Bidding Document Fee</u>					
Large Set - Paper Copy		\$75.00			
Small Set - Paper Copy		\$50.00			
CD Copy (<i>any size</i>)		\$20.00			
Flash Drive		\$20.00			
<i>(Copy fee waived for Plan Room and Advertising Services)</i>					
<u>Cable Communications Permit (30-133 (j))</u>					
Cable Franchise Insurance: Standard Insurance requirements plus excess					
<u>Curb Closings (See Streets & Sidewalks)</u>					
<u>Driveways (See Streets & Sidewalks)</u>					
<u>Right-of-Way Permits</u>					
Online Application Fee		\$2.00			
Permit Fee		\$100.00			
Trench Maintenance - 1 Lateral/Lead		\$1,500.00	\$2,250.00	F	Coatta
Trench Maintenance - 2 Laterals/Leads or more			\$4,500.00	E	Coatta
Water Service Inspection Fee (<i>does not include time after 3:15 pm</i>)		\$400.00			
Sewer Service Inspection Fee (<i>does not include time after 3:15 pm</i>)		\$400.00			
Cash Bond - Water/Sewer Inspection (<i>Refundable</i>) (<i>additional \$100 per hour</i>)		\$1,000.00			
Small Cell New Pole		\$300.00			
Small Cell Colocation		\$200.00			
<u>Sidewalks (See Streets & Sidewalks)</u>					
<u>Soil erosion and sediment control permit fees:</u>					
Online Application Fee		\$2.00			
Less than 1 acre site		\$125.00			
1-2 acre site		\$150.00			
2-3 acre site		\$150.00			
<i>The permit fee shall increase for every acre or portion thereof in excess of the above examples.</i>					
Inspection desposits:					
Inspection cost of \$100 per visit will be drawn against the inspection deposit. A refund of any unused deposit will be given at the end of the project, and the applicant will be responsible for \$100 per additional visit if the deposit balance is depleted.					
Less than 1 acre site		\$1,800.00			
1-2 acre site		\$3,600.00			
2 acres or greater site		\$5,000.00			
<u>Soil Filling Permit (Chapter 50)</u>					
Application fee		\$1,000.00			
Online Application Fee		\$2.00			
Permit fee, per cubic yard		\$0.20			
<u>Small Cell Monthly License</u>					
Tier 1 - Per Month Per Pole		\$75.00			
Tier 2 - Per Month Per Pole		\$150.00			
Performance Bond		\$10,000.00			
Administrative Fee		\$500.00			
<u>Stormwater runoff (Chapter 114)</u>					
Permit per acre of affected area		\$125.00			
Minimum		\$125.00			
<u>Storm Water Utility Fee Related Charges</u>					
Storm Water Utility Fee Credit Application or Renewal		\$100.00	\$50.00	C	Coatta
Low Impact Development Determination		\$100.00			
Storm Water Utility Appeals Board Application		\$100.00			
<u>Well (Irrigaion) Permit</u>		\$350.00			
<u>Storm Water Utility Fee - Credit Schedule</u>					
<u>CREDIT</u>	<u>APPLIES TO</u>	<u>ANNUAL VALUE</u>	<u>RENEWAL</u>		
<u>Rain Barrels</u>	SFR/Non-	\$15	2 years		
<u>Rain Garden/Bio-Swale</u>	SFR.Non-	\$20 *	5 years		
<u>Infiltration Trench/Dry Well</u>	SFR/Non-	\$25 *	5 years		
<u>Cistern</u>	SFR/Non-	\$25 *	10 years		

<u>Pervious Pavement</u>	SFR/Non-	\$10 (200-300 Sq.	10 years
		\$20 (300-400 Sq.	
		\$30 (>400 Sq. Ft.)	
<u>Disconnect Footing Drain</u>	SFR/Non-	\$40	10 years
<u>LID Building Measures</u>	Non-SFR	ESWU reduction	N/A
<u>LID Site Measures</u>	Non-SFR	ESWU reduction	N/A
<u>Enhanced Retention</u>	Non-SFR	ESWU reduction	N/A
Those credits marked with an asterisk (*) will be multiplied by the			
<u>SFR CLASS</u>	<u>CREDIT MULTIPLICATION</u>		
Classes A & B	1		
Class C	1.6		
Class D	2.4		
Class E	3.2		
Class F	4.6		
<u>Streets & Sidewalks:</u>			
Minimum charge for all curb closing, curb, cuts, driveways and sidewalk permits		\$100.00	
Curb closings (98-91):			
Permit per linear foot		\$5.00	
Minimum		\$50.00	
Curb cuts (98-91):			
Permit per linear foot		\$5.00	
Minimum		\$50.00	
Driveways (98-91):			
Permit		\$50.00	
Sidewalks (98-57):			
Permit, per square foot		\$0.50	
Minimum		\$50.00	
Excavations (98-26):			
Permit		\$100.00	
<i>Plus deposit to be determined by city engineer to cover estimated cost of possible city expenses, minimum</i>			
Moving buildings (98-3 - 98-28):			
Permit		\$100.00	
<i>Plus deposit to be determined by city engineer to cover estimated cost of possible city expenses, minimum Insurance: Standard insurance requirements plus hold-harmless agreement</i>			
		\$1,000.00	
Obstructions (98-26):			
Permit		\$100.00	
<i>Plus deposit to be determined by city engineer to cover estimated cost of possible city expenses, minimum</i>			
		\$1,000.00	

FINANCE DEPARTMENT			FEE	PROPOSED FEE	CHANGE CODE	STAFF
Sewer Service Rates (Chapter 114)						
For each 1,000 gallons or part thereof			\$9.79			
Storm Water Utility Fee (Chapter 114)						
<u>Property Type</u>	<u>SFR Class</u>	<u>Average Runoff Potential</u>	<u>ESWU</u>			
Single-Family Residential, 0-125 acres or less	Class A	3,166	\$0.70			
Single-Family Residential, 0-126 acres - 0.250 acres	Class B	4,317	\$1.00			
Single-Family Residential, 0.251 acres - 0.500 acres	Class C	6,716	\$1.60			
Single-Family Residential, 0.501 acres - 0.750 acres	Class D	10,552	\$2.40			
Single-Family Residential, 0.751 acres-1,000 acres	Class E	13,094	\$3.20			
Single-Family Residential, 1,001 acres or larger	Class F	20,496	\$4.60			
Non-Single Family ESWU.						
Evergreen-Farmington Sewage Disposal District:						
For each Equivalent Storm Water Unit (ESWU)						
Quarterly fixed fee			\$70.50			
Monthly fixed fee			\$23.50			
Southeast Oakland County Sewage Disposal District:						
For each Equivalent Storm Water Unit (EWSU)						
Quarterly fixed fee			\$73.25			
Monthly fixed fee			\$24.42			
Industrial Surcharge (Chapter 114)						
An industrial surcharge shall be levied against industrial and commercial customers contributing sewage to the system with concentrations of pollutants exceeding the levels described as follows:						
Amounts of Industrial Surcharge - Total Charge per pound of excess pollutants						
Biochemical oxygen demand (BOD), over 275 mg/l			\$0.361			
Total suspended solids (TSS), over 350 mg/l			\$0.496			
Phosphorus (P), over 12 mg/l			\$6.629			
Fats, oils, grease (FOG) over 100 mg/l			\$0.115			
Industrial Waste Control IWC (Chapter 114)						
An industrial waste control charge shall be levied against all non-residential properties, in accordance with rates established by resolution.						
Meter Size - Quarterly Charge						
	5/8"		\$10.92			
	3/4"		\$16.38			
	1"		\$27.30			
	1 1/2"		\$60.06			
	2"		\$87.36			
	3"		\$158.34			
	4"		\$218.40			
	6"		\$327.60			
	8"		\$546.00			
	10"		\$764.40			
	12"		\$873.60			
	14"		\$1,092.00			
	16"		\$1,310.40			
	18"		\$1,528.80			
	20"		\$1,747.20			
	24"		\$1,965.60			
	30"		\$2,184.00			
	36"		\$2,402.40			
	48"		\$2,620.80			
Effective July 1, 2022						

FIRE DEPARTMENT	FEE	PROPOSED FEE	CHANGE CODE	STAFF
<u>EMS Transport Service Fees (Chapter 54)</u>				
ALS Emergency Transport II	\$850.00	\$900.00	F	Wells
ALS Emergency Transport I	\$675.00	\$685.00	F	Wells
ALS Non-Emergency Transport	\$675.00			
BLS Emergency Transport	\$525.00	\$575.00	F	Wells
BLS Non-Emergency Transport	\$525.00			
Loaded Mile (<i>scene to hospital fee per mile</i>)	\$15.50	\$15.75	F	Wells
<u>Hydrant Use & Hydrant Repair - See DPS</u>				
<u>Administrative Fee-Non-electronic reporting (inspections/testing/maintenance)</u>	\$75.00		G	Wells
Flow Test	\$300.00	\$325.00	F	Wells
Fire System Acceptance Test Reinspection	\$150.00	\$175.00	F	Wells

MUSEUM	FEE	PROPOSED FEE	CHANGE CODE	STAFF
<u>Limited Use Fee-Allen House</u>				
Cleaning Deposit, returnable	\$100.00			
2 hrs. of approved private use - Allen House, first floor only, <i>with event specific rider and agreement</i>	\$550.00			
<u>Limited Use Fee-Park/Grounds</u>				
Security Deposit, returnable	\$100.00			
Up to 20 people-resident	\$250.00			
Up to 20 people- non resident	\$500.00			
21-100 people-resident	\$400.00			
21-100 people-non-resident	\$800.00			
Over 100 people	additional fees			
	will apply			
Security Deposit, <i>returnable</i>	\$250.00			
<i>Insurance: Standard Insurance Requirements and Hold Harmless Agreement</i>				
<u>Research Requests</u>				
Hourly Rate	\$25.00			

POLICE DEPARTMENT	FEE	PROPOSED FEE	CHANGE CODE	STAFF
<u>Alcohol*:</u>				
Specially Designated Distributor	\$500.00			
Specially Designated Merchant	\$500.00			
<i>*Fee for liquor license inspection may be waived at the discretion of the City Manager where an applicant seeks to change the liquor license by the removal of a licensee from the license and the licensed establishment is not in operation.</i>				
<u>False Alarm fees (74-31):</u>				
First false alarm per calendar year	no charge			
All subsequent false alarms per calendar year	\$50.00			
<u>Fingerprints</u>				
Full set of fingerprints; said fee shall be in addition to any license or permit fee which requires fingerprints to be taken and/or submitted to the Michigan State Police or the Federal Bureau of Investigation	\$10.00			
<u>Parking Offenses & Fines (If paid before 10 days/If paid after 10 days)</u>				
Expired meter: first six offenses in calendar	\$20/\$30			
Expired meter: seven offenses or more in calendar year	\$60/\$70			
Overtime in non-metered zone	\$10/20			
Overtime in a time zone: less than 2 hours	\$15/25			
Overtime in a time zone: 2 hours or longer	\$30/40			
Stopping, standing or parking where prohibited	\$30/40			
Parking over the meter line	\$10/20			
Back into parking lot space	\$10/20			
Keys in ignition or ignition unlocked	\$30/40			
Other illegal parking	\$30/40			
No parking here to corner	\$30/40			
Handicap zone	\$175/\$200			
Violation of snow emergency parking ordinance	\$50/75			
Illegal parking in permit area	\$30/40			
Illegal parking on private property	\$30/45			
<u>Pedi-cabs & Commercial</u>				
Annual Application Fee	\$50.00			
Insurance: The owner of every pedicab or commercial quadricycle shall procure and file with the city clerk a liability insurance policy or similar proof of insurance issued by an insurance company authorized to do business in the state. The amount of such liability insurance for each pedicab or commercial quadricycle shall be as follows: An amount of not less than \$2,000,000 because of bodily injury to or death of any one person; in an amount of \$2,000,000 because of bodily injury of two or more persons in any one accident; in an amount of not less than \$2,000,000 in medical coverage for each passenger. Such policy of insurance may be in the form of a separate policy for each pedicab or commercial quadricycle, or may be in the fleet policy covering all pedicabs or commercial quadricycles operated by such owner; provided, however, that such a policy provide for the same amount of liability for each pedicab or commercial quadricycle operated. Provided further, such policy shall name the City of Birmingham as an additional insured, and no such policy as required above may be cancelled until the expiration of 30 days after notice of intent to cancel has been given in writing to the city clerk of the City by registered mail or personal delivery of such notice and a provision to that effect is made a part of such policy.				
<u>Precious Metals Dealers 26-161</u>				
Annual License Fee	\$500.00			
Annual criminal background check - per person (to be provided by applicant using the Michigan State Police ICHAT system)				
<u>Preliminary breath test (PBT) each</u>	\$10.00			
<u>Stray Animal Fines:</u>				
Licensed pet properly immunized, first offense	\$25.00			
Second offense within twelve month period	\$50.00			
<u>Vehicle Identification Number Inspection Fee</u>	\$25.00			
<u>Vehicle Impounding Fee</u>	\$25.00			
<u>Vehicle Inspection Fee</u>	\$25.00			

PARKING DEPARTMENT	FEE	PROPOSED FEE	CHANGE CODE	STAFF
Parking Meters				
Hourly Meter Rates				
High Demand (<i>Areas Inside Central Core of Business District</i>)	\$1.50			
Lower Demand (<i>Areas Outside Central Core of Business District</i>)	\$1.00			
Meter Bags				
Daily Fee	\$18.00			
Outdoor Dining Metered Space for Platform				
Monthly Outdoor Dining Meter Rental Fee for \$1.00/Hour Meter	\$360.00			
Monthly Outdoor Dining Meter Rental Fee for \$1.50/Hour Meter	\$540.00			
Removal of parking meter housing and/or posts - minimum fee (<i>cost</i>)	\$88.29	\$114.00	B	Wald
Removal of parking meter housing and/or posts - 1 meter space (<i>cost</i>)	\$264.87	\$342.00	B	Wald
Removal of parking meter housing and/or posts - 2 meter spaces (<i>cost</i>)	\$441.45	\$570.00	B	Wald
Parking Permits				
Meter Permit Parking (3 Months)				
Lot 6 - Regular	\$210.00			
Lot 6 - Restricted	\$150.00			
Ann St. North	\$180.00			
South Old Woodward	\$120.00			
Lot 11 - NW Corner Maple & Woodward	\$180.00			
Lot 12 - SE Corner Maple & Woodward	\$180.00			
Residential Permit Parking (110-136 - 110-150)				
Residential parking permit per household (includes 2 resident and 3 visitor permits for a two-year period)	\$8.00			
Parking Structure Permit Parking				
Deposit (<i>any cards returned after six-months not eligible for refund</i>)	\$20.00			
Activation fee per AVI card	\$30.00			
Returned checks	\$30.00			
Permit Parking - Chester St. Structure per month	\$70.00			
Permit Parking - Pierce Structure per month	\$100.00			
Permit Parking - All Other City Structures per month	\$90.00			
Parking Structure Rates				
Less than 2 hours	free			
Less than 3 hours	\$2.00			
Less than 4 hours	\$4.00			
Less than 5 hours	\$6.00			
Less than 6 hours	\$8.00			
Over 6 hours	\$10.00			
Over 7 hours	\$10.00			
Over 8 hours	\$10.00			
Maximum Fee After 10:00PM	\$5.00			
Parking for Valet Licenses				
Valet Parking in City Owned Structures				
Valet parking card deposit, per card	\$20.00			
Fees per car:				
1-100 cars, pre-paying for six months in advance, per month	\$500.00			
101-200 cars, pre-paying for six months in advance, per month	\$750.00			
201 and above cars, pre-paying for six months in advance, per month	\$1,000.00			
Valet Parking Meter				
Valet Monthly Bag fee	\$216.00			
Annual criminal background check - per person (<i>to be provided by applicant using the Michigan State Police ICHAT system</i>)				
Initial application	\$1,000.00			
Annual license-application	\$500.00			
One-Day Valet Permit application	\$50.00			
Valet Parking in City Owned Structures (<i>See: fee schedule</i>)				
Valet Parking Meter Bag fees - (<i>See: fee schedule</i>)				
Insurance: Workers' compensation insurance, including employers' liability coverage, in accordance with all applicable statutes of the state. Garage liability insurance with limits of liability of not less than \$1,000,000 per occurrence; or commercial general liability insurance endorsed to provide the equivalent of this coverage. Garage keepers legal liability insurance with limits of liability of not less than \$100,000.00 per occurrence; or commercial general liability insurance endorsed to provide the equivalent of this coverage.				
Additional insured: Garage liability and garage keepers legal liability insurance, as described above, shall name the city as additional insured for all activities connected with the valet parking service and shall include an endorsement stating the following as "additional insured": the city, all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and their board members, including employees and volunteers thereof. This coverage shall be primary to the additional insureds, and not contributing with any other insurance or similar protection available to the additional insureds.				

Cancellation notice: Thirty (30) days advance written notice of insurance cancellation, nonrenewal, and/or reduction in material change in coverage must be provided to the city. Notice of cancellation material change or reduction must be attached to the certificate of insurance, or otherwise evidenced as in effect under the policy listed.

Proof of insurance coverage: The following certificates and policies shall be provided to the city:

1. Two copies of certificate of insurance for workers' compensation insurance.
2. Two copies of certificate of insurance for garage liability insurance.
3. Two copies of certificate of insurance for garage keepers legal liability insurance.
4. If so requested, certified copies of all policies mentioned above will be furnished.

Expiration: If any of the above coverages expire, renewal certificates and/or policies must be provided to the city at least ten days prior to the expiration date.

Acceptability of insurance company: All coverages shall be with insurance carriers licensed to do business in the state. All coverages shall be with carriers acceptable to the city.

TREASURER'S OFFICE	FEE	PROPOSED FEE	CHANGE CODE	STAFF
<u>Returned Check fees (15.1 - 15.3)</u>	\$25.00			
<u>Treasurer's certificate</u>	\$10.00			

CITY OF BIRMINGHAM
PUBLIC RECORDS POLICY

1. The City of Birmingham shall make public records available to the general public in accordance with the Freedom of Information Act (FOIA) and Article VIII, Sections 2-311 through 2.316.
2. The city clerk shall be designated the FOIA coordinator. The clerk may designate others to fulfill FOIA requests, but shall keep copies of requests according to the Records Retention and Disposal Schedule.
3. The FOIA Coordinator shall make available a standard form for requests for public records. There is no requirement under FOIA for lists or reports to be created.
4. Copying of public records shall only be done by city employees or may be reproduced by an outside source as arranged by the FOIA coordinator or his or her designee.
5. Copies of public records shall be charged at \$.10 each sheet of paper 8.5" x 11" and 8.5" x 14", using double sided printing when available.
6. Maps and plans shall be distributed as follows:

11" x 17"	\$5.00
24" x 36"	\$10.00
26" x 36"	\$13.00
36" x 42"	\$15.00
7. The building department does not release copies of interior plans of houses or commercial buildings without written approval of the owner.
8. All agendas will be posted on the city's website. Background material will be made available for public review at the respective department counter where the document is prepared. Upon request, commission agendas will be provided free of charge to the Birmingham homeowners associations representing residents of the City.
9. Requests for computer generated lists or documents shall be made available in accordance with FOIA and the city code. Costs for such documents shall be determined according to the departmental costs to produce such records.
10. Records of fire investigations shall be available to the public after the investigation has been completed. Copies of fire incident reports shall be sold for \$5.00 for each copy plus current mailing costs.

11. Copies of standard records from the police department, including dispatch cards, incident reports and accident reports shall be sold for **\$10.00**. Police Department letters of clearance will be prepared for **\$20.00**.
12. Copies of standard **unredacted** police video (booking room, in-car, body-worn camera and security) shall be sold for **\$30.00**.
13. Copies of standard **unredacted** police audio (9-1-1, telephone, radio) shall be sold for **\$20.00**.

Adopted by City Commission July 28, 2008, Resolution #07-240-08

Amended:

March 19, 2012, Resolution #03-74-12
August 27, 2012, Resolution #08-249-12
March 18, 2013, Resolution #03-100-13
April 28, 2014, Resolution #04-98-14
March 30, 2015, Resolution #03-63-15
March 28, 2016, Resolution #03-99-16
December 5, 2016, Resolution #12-364-16
December 12, 2016, Resolution #12-383-16
December 13, 2021, Resolution # 12-321-21
December 19, 2022, Resolution # 12-310-22
December 18, 2023, Resolution # 12-???-23



MEMORANDUM

Planning Division

DATE: December 12, 2023

TO: Jana Ecker, City Manager

FROM: Brooks Cowan, Senior Planner

APPROVED: Nicholas Dupuis, Planning Director

SUBJECT: Set Public Hearing for 34350 Woodward Ave & 909-911 Haynes Street – Fred Lavery Porsche Dealership – Special Land Use Permit, Final Site Plan & Design Review

INTRODUCTION:

The applicant has submitted an application for a Special Land Use Permit, Final Site Plan and Design Review for a three-story auto sales agency in the MU-5 and MU-7 zones of the Triangle District.

BACKGROUND:

The applicant received a Special Land Use Permit in 2010 to operate a Porsche car dealership at 34350 Woodward Ave. The applicant is proposing to demolish the existing building as well as the adjacent site at 909-911 Haynes, combine the lots, and construct a multi-story auto sales agency capable of accomodating a larger fleet of vehicles on-site.

On October 26, 2022, ([Agenda](#) – [Minutes](#)) the applicant appeared before the Planning Board for a Community Impact Study and Preliminary Site Plan Review. Upon review, the Planning Board moved to accept the CIS with the following conditions:

1. The applicant resolve all issues related to the Transportation Impact Study as requested by the City's traffic consultants;
2. The applicant obtain site plan review and recommendation from the Multi-Modal Transportation Board (MMTB) related to vehicular and pedestrian traffic safety features for the intersection of Haynes Street, Elm Street, and Woodward Ave;
3. The applicant provide the Planning Department with copies of any existing due care plans, plans developed in connection with the construction of the project, information about the existence of any vapors during the process of construction, and plans for remediation of any hazardous vapors identified; and,
4. The applicant comply with all requests from City Departments.

The Planning Board also moved to recommend the Preliminary Site Plan with the following conditions:

1. The applicant obtain site plan review and recommendation from the MMTB related to vehicular and pedestrian traffic safety features for the intersection of Haynes Street, Elm Street, and Woodward Ave;
2. The applicant provide sidewalks along Elm Street, Woodward Ave, and Haynes Street that are a minimum of 12 feet wide;
3. The applicant comply with all department requests.

On December 1, 2022, ([Agenda](#) – [Minutes](#)) the applicant appeared before the Multi-Modal Transportation Board to review recommendations of the Triangle District Plan's concepts for the intersection of Elm Street, Haynes Street, and Woodward Avenue. The Multi-Modal Transportation Board moved to recommend option C2 which is reducing Elm Street to one-way southbound between Bowers Street and Haynes Street. See attachments for the proposed concept.

On January 25, 2023, ([Agenda](#) – [Minutes](#)) the Planning Board moved to recommend approval to the City Commission the Special Land Use Permit, Final Site Plan and Design Review application for 34350 Woodward Ave & 909-911 Haynes Street – Fred Lavery Porsche - with the following conditions:

1. The applicant must provide details regarding the species of landscaping proposed for the entrance to ensure that no prohibited species are being used;
2. The applicant relocate the crosswalk on Elm to the north to avoid conflict with the service entry to a location approved by Staff;
3. The Planning Board expresses a high priority on making the intersection of Haynes, Woodward, and Elm safer through a reconfiguration similar to Option C2 as expeditiously as possible by the City Commission;
4. The applicant provide updated site plans and surveys addressing concerns related to the electrical pole in the sidewalk on the northwest corner of the property;
5. The applicant provide updated lighting information regarding the light fixture specifications and the parking lot circulation area lumen values;
6. The Planning Board approve deviations to the architectural requirements of Section 3.09(D)(1), Section 3.09(B)(2), and Section 3.09(A)(4) to enable the applicant creativity and flexibility in design for a metal exterior, non-inset front door, and a garage door on the front façade with the condition that the applicant provide a front elevation drawing of the proposed building superimposed on a color drawing or photograph of the entire block showing the relation of the proposed building design to other buildings along the block;
7. The applicant comply with all department requests; and,
8. That the applicant obtain a lot combination to create a single parcel for 34350 Woodward Ave & 909-911 Haynes Street.

On February 13, 2023, the City Commission set a Public Hearing Date of March 13, 2023 for the Special Land Use Permit, Final Site Plan, and Design Review hearing.

On March 13, 2023, the applicant requested to postpone the hearing to work out details of the SLUP with City staff. The City Commission moved to table the application.

Since the application was tabled, City staff, the City Attorney, and the applicant have held a number

of discussions regarding the language and conditions of the SLUP and have come to an amenable agreement. Hence the applicant is ready to proceed with the application.

LEGAL REVIEW:

The City Attorney has drafted the negotiated SLUP agreement and is supportive of the proposed agreement.

FISCAL IMPACT:

The Triangle District Urban Design Plan recommends reconfiguration of the intersection of Woodward Ave, Haynes Street, and Elm Street adjacent to the subject site. The applicant has agreed to cover all costs related to the reconfiguration of the Woodward Ave, Haynes Street, and Elm Street intersection as recommended.

SUSTAINABILITY:

The applicant will be installing electric vehicle charging stations that are accessible to the public. Implementing the recommended changes to the intersection of Woodward Ave, Haynes St., and Elm St. will also improve pedestrian safety and walkability along Woodward Ave.

PUBLIC COMMUNICATIONS:

As required for a Special Land Use Permit, Final Site Plan and Design Review, a legal ad was placed in a newspaper of local circulation to advertise the nature of the request in advance of the January 25th, 2023 Planning Board meeting, and notices were sent out to all property owners and tenants within 300 ft. of the property. In addition, a second round of notices will be sent out to advertise the public hearing at the City Commission on January 22, 2024.

SUMMARY:

The Planning Division requests that the City Commission set a public hearing date of January 22, 2024 to consider the Special Land Use Permit, Final Site Plan and Design Review application for 34350 Woodward Ave & 909-911 Haynes Street – Fred Lavery Porsche.

ATTACHMENTS:

Please find attached the following documents for your review:

- Special Land Use Permit Resolution
- Draft SLUP Contract
- Current Site/Design Plans
- Planning Board report
- Triangle District Urban Design Plan – relevant pages

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to set a public hearing date of January 22, 2024 to consider the Special Land Use Permit, Final Site Plan and Design Review application for 34350 Woodward Ave & 909-911 Haynes Street – Fred Lavery Porsche.

Fred Lavery Porsche
34350 Woodward Ave & 909-911 Haynes Street
Special Land Use Permit 2024

WHEREAS, A Special Land Use Permit application was filed in November 2022 for approval of a new three-story auto sales agency in the the MU-7 and MU-5 zoning districts;

WHEREAS, The land for which the Special Land Use Permit is sought is located on the east side of Woodward Ave at the northeast corner of Elm Street and Haynes Street;

WHEREAS, The land is zoned MU-7 and MU-5, which permits the operation of an auto sales agency with a Special Land Use Permit;

WHEREAS, Article 7, section 7.34 of Chapter 126, Zoning requires a Special Land Use Permit to be considered and acted upon by the Birmingham City Commission, after receiving recommendations on the site plan and design from the Planning Board for the proposed Special Land Use;

WHEREAS, The Planning Board on January 25th, 2023 reviewed the application for a Special Land Use Permit, Final Site Plan and Design Review and recommended approval to the City Commission for the construction of a new three-story auto sales agency with the following conditions:

1. The applicant must provide details regarding the species of landscaping proposed for the entrance to ensure that no prohibited species are being used;
2. The applicant relocate the crosswalk on Elm to the north to avoid conflict with the service entry to a location approved by Staff;
3. The Planning Board expresses a high priority on making the intersection of Haynes, Woodward, and Elm safer through a reconfiguration similar to Option C2 as expeditiously as possible by the City Commission;
4. The applicant provide updated site plans and surveys addressing concerns related to the electrical pole in the sidewalk on the northwest corner of the property;
5. The applicant provide updated lighting information regarding the light fixture specifications and the parking lot circulation area lumen values;
6. The Planning Board approve deviations to the architectural requirements of Section 3.09(D)(1), Section 3.09(B)(2), and Section 3.09(A)(4) to enable the applicant creativity and flexibility in design for a metal exterior, non-inset front door, and a garage door on the front façade with the condition that the applicant provide a front elevation drawing of the proposed building superimposed on a color drawing or photograph of the entire block showing the relation of the proposed building design to other buildings along the block;
7. The applicant comply with all department requests; and,
8. That the applicant obtain a lot combination to create a single parcel for 34350 Woodward Ave & 909-911 Haynes Street.

WHEREAS, The Birmingham City Commission has reviewed Fred Lavery Porsche's Special Land Use Permit application and the standards for such review as set forth in Article 7, section 7.36 of Chapter 126, Zoning, of the City Code;

NOW, THEREFORE, BE IT RESOLVED, The Birmingham City Commission finds the standards imposed under the City Code have been met, subject to the conditions below, and that Fred Lavery Porsche's application for a Special Land Use Permit, Final Site Plan and Design Review at 34350 Woodward Ave and 909 - 911 Haynes Street is hereby approved;

BE IT FURTHER RESOLVED, That the City Commission determines that to ensure continued compliance with Code standards and to protect public health, safety, and welfare, this Special Land Use Permit is granted subject to the following conditions:

- a) Fred Lavery Porsche shall abide by all provisions of the Birmingham City Code including any subsequently amended or enacted ordinances; and
- b) Fred Lavery Porsche shall comply with the conditions of approval assigned by the Planning Board and City Commission; and
- c) The Special Land Use Permit may be canceled by the City Commission upon finding that the continued use is not in the public interest; and
- d) In order for the development of the new Fred Lavery Porsche to occur, there will need to be a reconfiguration of Elm Street at the intersection of Elm Street, Haynes Street and Woodward Avenue; and
- e) After a traffic study of the area including the intersection of Elm Street, Haynes Street and Woodward Avenue, the reconfiguration of Elm Street shall be developed and designed by Fred Lavery Porsche in accordance with the attached agreement dated January 22, 2024, and with approval of all elements of the reconfiguration including, but not limited to design, materials, etc., by the City Engineer; and
- f) Fred Lavery Porsche shall be responsible for all costs related to the reconfiguration of Elm Street including, but not limited to designs, traffic studies, materials, labor any and all other necessary costs to the satisfaction of the City Engineer; and
- g) Fred Lavery Porsche shall enter into a streetscape agreement with the City Planner and City Engineer that will address all elements including, but not limited to moving the DTE electric pole on the northwest corner of the property, the electric vehicle charging stations, and the Elm Street reconfiguration.

BE IT FURTHER RESOLVED, That failure to comply with any of the above conditions shall result in termination of the Special Land Use Permit.

BE IT FURTHER RESOLVED, Except as herein specifically provided, Fred Lavery Porsche and its heirs, successors, and assigns shall be bound by all ordinances of the City of Birmingham in effect at the time of the issuance of this permit, and as they may be subsequently amended. Failure of Fred Lavery Porsche to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit.

BE FURTHER RESOLVED that Fred Lavery Porsche is recommended for the construction of a three story auto sales agency, subject to final inspection.

I, Alexandria Bingham, City Clerk of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on January 22, 2024.

Alexandria Bingham
City Clerk

**CONTRACT FOR A SPECIAL LAND USE PERMIT
FOR 34350 WOODWARD AVE & 909-911 HAYNES STREET
FRED LAVERY PORSCHE**

This Contract ("Agreement") is entered into this _____ day of _____, 2023, by and between **LAVERY MICHIGAN DEALERSHIP PROPERTIES NO. 1 LLC**, whose address is 440 Lake Park, Birmingham, MI 48009 ("Property Owner"), and the **CITY OF BIRMINGHAM**, a Michigan Municipal Corporation, whose address is 151 Martin Street, Birmingham, Michigan 48009 ("City").

R E C I T A L S:

WHEREAS, a Special Land Use Permit Application was filed on November 15, 2022 for approval of a new three-story auto sales agency building and operation (the "Project") to replace an existing auto sales agency building; and,

WHEREAS, the land for which the Special Land Use Permit Agreement is sought is located on the northeast corner of the intersection of Haynes Street, Woodward Ave, and Elm Street; and,

WHEREAS, the land is zoned MU-7 and MU-5 in the Triangle District Overlay which permits the operation of an auto sales agency with a Special Land Use Permit; and,

WHEREAS, Article 7, Section 7.34 of Chapter 126, Zoning requires a Special Land Use Permit to be considered and acted upon by the Birmingham City Commission, after receiving recommendations on the site plan and design from the Planning Board for the proposed Special Land Use. After considering the matter at a public hearing, the Planning Board recommended approval of the Special Land Use Permit with conditions at its meeting held on January 3, 2023; and,

WHEREAS, the City of Birmingham Commission hereby approves this Agreement and hereby grants and issues to Property Owner a Special Land Use Permit for an auto sales agency in accordance with Chapter 126, Article 3, Section 3.07.

NOW, THEREFORE, the parties agree as follows:

1. Property Owner acknowledges that no material and substantial modifications to the site plan, elevations, or changes to the floor plan that alter the operation and use of the Property as an auto sales agency may be made unless approved by the City Commission through

a Special Land Use Permit Amendment. Provided, however, the Planning Department approval of changes to the "...exterior of the building, structure and/or site is authorized in those instances where the proposed work is minor in nature (*Sic*) will have a minimal impact on the visual appearance of the building, structure, and/or site and provided the materials used are of equal or higher quality than those previously approved. Examples of changes requiring only departmental approval include painting, installation and/or removal of doors and/or windows, lighting, signs landscaping, roofing material, dumpster enclosures, fences and screen walls, mechanical equipment and screening, changes in the public right-of way, and maintenance or repair of buildings or structures." *Birmingham City Ordinances, Section 7.32(A)*. Further, included in those modifications that may be approved administratively by the Planning Department are changes of name and/or ownership changes.

2. Except as herein specifically provided, Property Owner, and its successors and assigns, agrees that it shall be bound by and adhere to all Federal, State and City of Birmingham laws and ordinances currently in effect at the time of the issuance of this Special Land Use Permit or to the extent required in City ordinances and/or under the Michigan Zoning Enabling Act, as subsequently amended or enacted.

3. Property Owner agrees that its failure to follow any of the provisions herein may be grounds, after written notice and opportunity to cure as provided in paragraph 6(b) below, and for the Birmingham City Commission to revoke the Special Land Use Permit which would prohibit Property Owner from operating the auto sales agency. Property Owner agrees that in addition to the City of Birmingham's right to seek revocation of the Special Land Use Permit, the City retains any and all rights to enforce this Agreement that may be available to it in law or in equity. Property Owner agrees that it shall reimburse the City all of its costs and actual attorney fees incurred by the City in seeking and obtaining the revocation of the Special Land Use Permit, as well as for successfully enforcing such other rights as may be available at law and/or in equity.

4. To the fullest extent permitted by law, and except as provided below, Property Owner agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City, its elected and appointed officials, employees and volunteers and others working on behalf of the City, against any and all claims, demands, suits, or losses, including all costs connected therewith, including all costs and actual attorney fees, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on behalf of the City, by reason of personal injury, including bodily injury, death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with Property Owner's operation of an establishment at the Property. Provided however, this subparagraph does not apply to, and the Property Owner does not indemnify, hold harmless and defend, any intentional or negligent acts or omissions of the City, its elected and appointed officials, employees and volunteers and others working on behalf of the City.

5. In the event Property Owner fails to reimburse the City the costs and/or attorney fees as required under Section 4 above, then said amount may be transferred to the tax roll in accordance with Section 1-14 of the Birmingham City Code.

6. (a) Any disputes arising under the Special Land Use Permit or this Agreement shall, after notice and opportunity to cure (described below), be settled either by commencement of a suit in Oakland County Circuit Court or by compulsory arbitration, at the election of either party.

The City or the Property Owner shall notify the other in detail of any dispute it has arising out of the Special Land Use Permit or this Agreement. If either party claims a default under the Special Land Use Permit or this Agreement, then such party shall give written detailed notice to the other and not seek any right or remedy, unless the alleged defaulting party has failed to initiate performance or cure of such default within sixty (60) days after receipt of such notice ("Cure Period"), and not diligently thereafter performed or cured such alleged default.

(b) If not cured or performed as above provided, either the claimant or the respondent may demand the dispute be submitted to compulsory arbitration which demand, in the case of the respondent, shall be made in writing within (30) days from the expiration of the Cure Period. If either party elects to have the dispute resolved by compulsory arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan, with each of the parties appointing one arbitrator and the two thus-appointed appointing a third. If neither the claimant in its notice nor the respondent within such 30-day period demands arbitration, then any such dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court.

7. This Agreement shall be governed by and performed, interpreted and enforced in accordance with the laws of the State of Michigan.

8. If any provision of this Agreement is declared invalid, illegal or unenforceable, such provision shall be severed from this Agreement and all other provisions shall remain in full force and effect.

9. The City Commission determines that to ensure continued compliance with Code standards and to protect public health, safety, and welfare, this Special Land Use Permit is granted subject to the following conditions:

- (a) Property Owner shall abide by all provisions of the Birmingham City Code including, to the extent required in City ordinances and/or under the Michigan Zoning Enabling Act, any subsequently amended or enacted ordinances; and
- (b) Property Owner shall comply with the conditions of approval assigned by the Planning Board and City Commission; and
- (c) Subject to City compliance with the requirements of the Zoning Ordinance and Property Owner's rights under the Zoning Enabling Act, MCL 125.3201 *et seq.* and applicable law, the Special Land Use Permit may be canceled by the City Commission upon finding that the continued use is not consistent with the public health, safety and welfare of the City; and
- (d) Property Owner shall enter into a streetscape agreement with the City Planner and City Engineer that will address all elements including, but not limited to moving the DTE electric pole on the northwest corner of the property, the electric vehicle charging stations, and the Elm Street reconfiguration.
- (e) The Property Owner shall obtain a lot combination to create the Property into a single parcel for 34350 Woodward Ave. and 909-911 Haynes Street.
- (f) Property Owner shall undertake the design and construction of the public Intersection Changes described in paragraph 10 below.

10. At its meeting held on December 1, 2022, the City Multi-Modal Transportation Board unanimously recommended that the Final Site Plan reflect proposed changes to the curb and approach for the intersection of Woodward Avenue, Haynes Street and Elm Street (the "Intersection Changes") described as Option C2 in the Triangle District Urban Design Plan (the "Plan"). The Planning Commission also recommended that the City Commission pursue a reconfiguration of the intersection through a reconfiguration similar to Option C2. Subject to the following terms of this Agreement, the Property Owner shall be responsible for the design and construction of the Intersection Changes in general conformance with the concept plan for the Intersection Changes ("Concept Plan") depicted and described in Exhibit A and approved by the parties hereto:

- (a) Property Owner shall prepare the final engineering documents, including final plans and specifications for the Intersection Changes ("Final Plans"). The Final Plans shall be consistent with the Concept Plan attached hereto as Exhibit A and designed in accordance with all applicable City and, to the extent applicable, MDOT specifications. The Parties shall fully cooperate with respect to the final design and engineering of the Intersection Changes so that the Intersection Changes may be constructed in a cost-effective and efficient manner and made operational as soon as reasonably practicable.
- (b) Prior to commencing work the Property Owner shall submit to the City and, to the extent applicable, MDOT permit applications to perform the Intersection Changes for review and approval. The City agrees to assist and cooperate with Property Owner to obtain any required permit or permission from MDOT to perform the Intersection Changes in any portion of the Woodward Road right-of-way under the jurisdiction of MDOT.
- (c) Property Owner shall have the right to select the contractor for the construction of the Intersection Changes and will enter into a contract with the contractor for the installation of the Intersection Changes in accordance with the Final Plans and the applicable permits. Property Owner shall, at its sole cost and expense, perform the Intersection Changes. Performance of the Intersection Changes shall include all construction, survey and design work, inspection, testing, construction surveying and staking, landscaping and utility coordination to ensure that the Intersection Changes are completed in accordance with the approved Final Plans, and City retains the right for inspections and final approvals of all intersection changes and construction. It is not contemplated nor is it the responsibility of Property Owner to relocate, replace or repair underground utilities, including sewer, water and storm sewer as part of the Intersection Changes unless such underground utilities are damaged during the construction work, except for potential storm sewer connections as required or may be necessary because of the changes to the curbs.
- (d) Provided that Property Owner is proceeding in good faith with the design, permitting and construction of the Intersection Changes, the completion of the Intersection Changes is not a condition precedent to the receipt of a temporary certificate of occupancy and commencement of use and

occupancy of the Project by Property Owner; provided, however, if the Intersection Improvements are not completed as of the time of issuance of the certificate of occupancy, the City in the exercise of its discretion may require a bond in an amount sufficient to cover the cost of the remaining work to complete the Intersection Changes as of the time of issuance of the temporary certificate of occupancy.

- (e) Property Owner agrees that it will maintain on a regular basis the landscaping improvements in the public right of way areas depicted on Exhibit A, which includes mowing grass, maintaining and repairing irrigation, and replacing dying, diseased or dead plantings.

11. The Property Owner is granted this Special Land Use Permit and recommended for the operation of an auto sales agency, subject to final inspection.

12. Except as herein specifically provided, Property Owner and its heirs, successors, and assigns shall be bound by all ordinances of the City of Birmingham in effect at the time of the issuance of this permit, or to the extent required in City ordinances and/or under the Michigan Zoning Enabling Act, as such ordinances may be subsequently amended. Failure of Property Owner to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit.

13. Property Owner is recommended for the operation of an auto sales agency, subject to final inspection.

14. This Agreement shall be binding upon and apply and inure to the benefit of the parties hereto and their respective successors or assigns. All RECITALS set forth above, and all EXHIBITS attached hereto, are incorporated by reference herein to the same extent as if each RECITAL and EXHIBIT was set forth in its entirety in a numbered paragraph in the body of this Agreement. The covenants, conditions, and the agreements contained herein are hereby declared binding on the CITY OF BIRMINGHAM and the Property Owner. It is further agreed that there shall be no change, modification, or alteration of this Agreement except in writing, approved by the City Commission and signed by all of the parties hereto. To the extent Property Owner assigns this Agreement to any successor in interest to the Property Owner and/or any operator of the Project, Property Owner shall notify the City of the name, address and contact information of the successor in interest and any such successor in interest shall agree in writing to be bound by this Agreement and assume all responsibilities and obligations of Property Owner under this Agreement. Any change in ownership shall be reflected in an amendment to this Agreement.

15. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one agreement. In addition, facsimile signatures shall have the same force and effect as an original signature.

IN WITNESS WHEREOF, the parties hereby have executed this Contract as of the date set forth above.

**LAVERY MICHIGAN
DEALERSHIP PROPERTIES NO.
1 LLC (Property Owner)**

By: Frederick A. Lavery Jr.
Its: Member

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On the 11th day of December in the year 2023, before me, the undersigned notary public, personally appeared Fredrick A. Lavery Jr., to me known, who, being by me duly sworn, did depose and say that he/she is the Member of LAVERY MICHIGAN DEALERSHIP PROPERTIES NO. 1 LLC (Property Owner), the company described in and which executed the above instrument; and that he/she signed his/her name thereto by authority of said company.

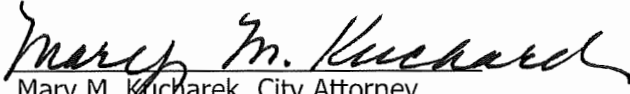
Gandra Jean Meek
Notary Public
Oakland County, Michigan
Acting Oakland County, Michigan
My commission expires: _____



APPROVED:

Jana Ecker, City Manager
(Approved as to substance)

Nicholas Dupuis, Planning Director
(Approved as to substance)



Mary M. Kucharek, City Attorney
(Approved as to form)

Drafted by and when recorded return to:

125033.000001 4867-5259-6374.2

Signature Page to Contract for a Special Land Use Permit for
34350 Woodward Ave & 909-911 Haynes Street
Fred Lavery Porsche

Exhibit A

("Concept Plan")

Fred Lavery Company - Porsche Woodward DID
34350 Woodward Ave, Birmingham, MI 48009

Date: MARCH 13, 2023
SPECIAL LAND USE PERMIT (SLUP) REVIEW

OWNER REVIEW
CIS | PRELIMINARY SITE PLAN REVIEW
FINAL SITE PLAN REVIEW
SLIP REVIEW

	●	●	●	●		A 0.00	TITLE SHEET
	●	●	●	●		C 100	SURVEY
	●	●	●	●		C 110	SURVEY DIAGRAM -PROPERTIES WITHIN 200 & 500 FEET
			●	●		C 21	OPTION C2 OF THE TRIANGLE DISTRICT PLAN - ELM STREET CONCEPT
	●	●	●			C 3.0	SITE PLAN C3 ELM STREET CROSSWALK MOVED TO NORTH CONCEPT "C3.0"
	●	●	●			S 3	SITE PLAN S3 ELM - HAYNES - WOODWARD INTERSECTION CONFIGURATION "S3"
	●	●	●	●		A 100	ARCHITECTURAL SITE PLAN
	●	●	●			A/LA 100.1	SITE + LANDSCAPE PLAN
	●	●	●			A 100.2	SITE PHOTOS BUILDING MATERIAL IMAGES / SPECS
	●	●	●	●		A 201	FLOOR PLAN - LEVEL 1
	●	●	●	●		A 202	FLOOR PLAN - LEVEL 2
	●	●	●	●		A 203	NOT ISSUED THIS SET
	●	●	●	●		A 204	FLOOR PLAN - LEVEL 3
	●	●	●	●		A 205	ROOF PLAN
	●	●	●	●		A 400	BUILDING ELEVATIONS - SOUTH & WEST
	●	●	●	●		A 401	BUILDING ELEVATIONS - NORTH & EAST
	●			●		A 402	ELM STREET & HAYNES STREET ENTIRE BLOCK FACADE ELEVATIONS
	●	●	●	●		A 400 G	BUILDING ELEVATIONS - SOUTH & WEST FACADE GLASS & OPENINGS CALCULATIONS
	●	●	●			M 01	MECHANICAL ROOF PLAN
	●	●	●	●		L 01	EXTERIOR LIGHTING / PHOTOMETRICS
	●	●	●	●		L 011	PHOTOMETRICS PLAN DETAILS: AREAS 1 & 2
	●	●	●	●		L 012	PHOTOMETRICS PLAN DETAILS: AREA 3



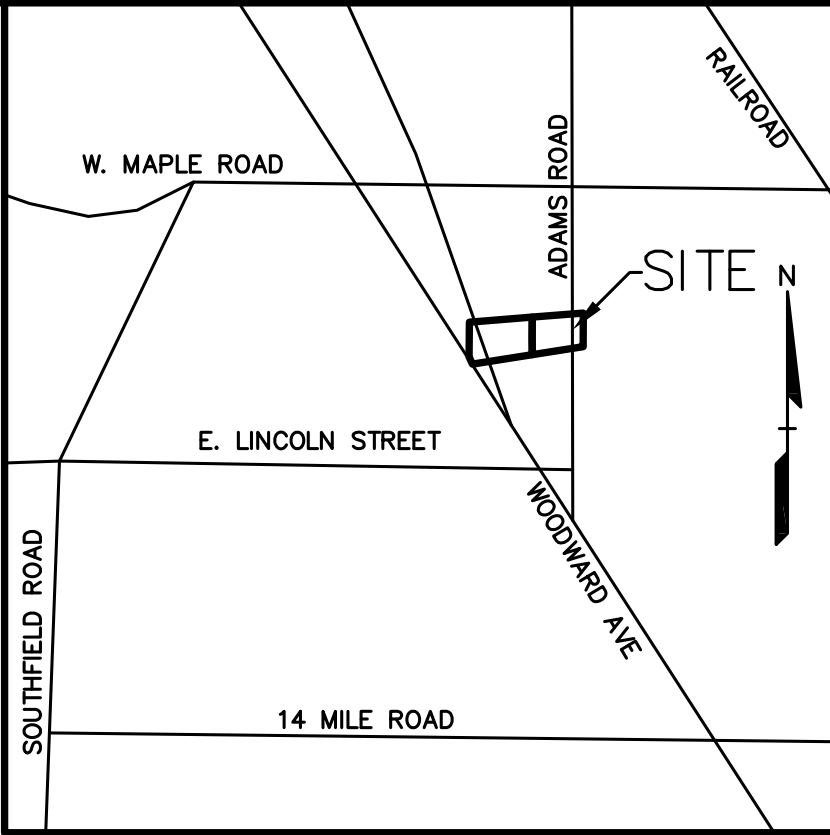
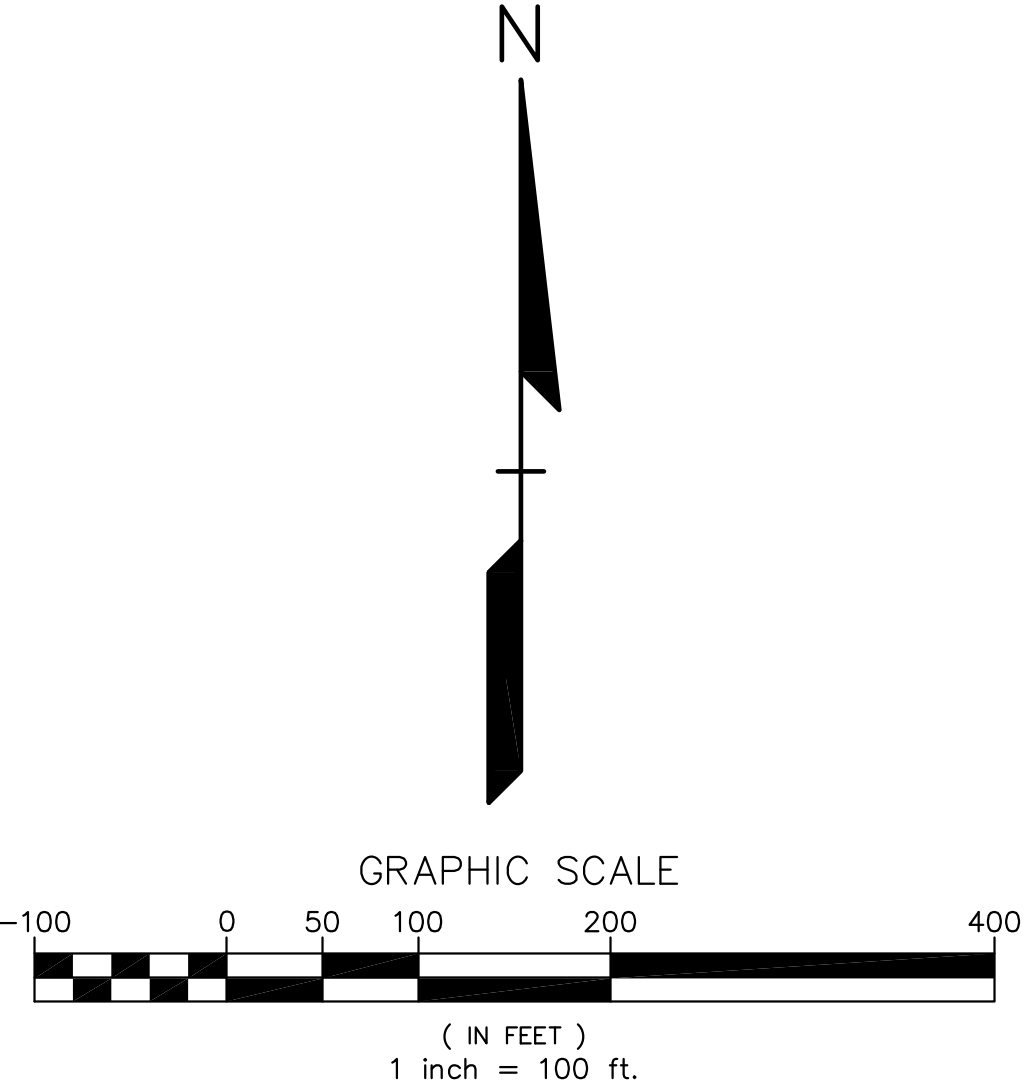
LEGAL DESCRIPTION
(Per PEA Inc.)

Land situated in the City of Birmingham, County of Oakland, State of Michigan Described as follows:

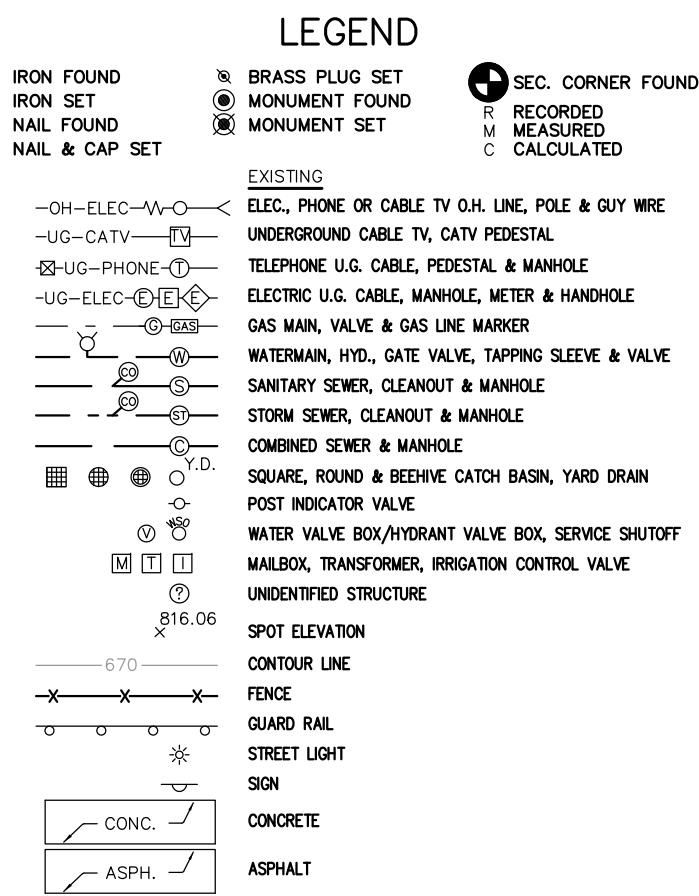
A parcel of land lying in "Bowers Addition" being a part of Section 36, Town 2 North, Range 10 East, including all of lots 3, 4, 5, 6, 7, 8, 9, and the westerly 10.14 feet along the northerly line of Lot 10 and the westerly 10.58 feet along the southerly line of Lot 10, excluding a portion taken for Right-of-Way purposes, as described in Liber 53 Miscellaneous Records, Page 355,, more particularly described as;

Commencing at the southwest corner of Lot 3, thence N81°00'00"E, 10.79 feet along the south line of said Lot 3 to the Point of Beginning;
thence N24°19'26"W, 25.43 feet;
thence N00°25'32"E, 109.22 feet along the West Line of said Lot 3 and the East Line of Elm Street;
thence N85°26'34"E, 360.70 feet along the North Line of Lots 3-10 of said Bower's Addition;
thence S00°31'00"W, 105.79 feet;
thence S81°00'00"W, 353.29 feet along the South Line of said Lots 3-10 and the North Line of Haynes Street to the Point of Beginning.
Containing 0.99 Acres more or less.

Basis of bearing the south line of Bowers Addition Plat Liber 8 Page 26



LOCATION MAP - NOT TO SCALE



CAUTION!!
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS MADE FOR THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXISTENCE AND DEPTHS OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

THIS DRAWING AND DESIGN ARE THE PROPERTY OF PEA, INC. THEY ARE SUBMITTED ON THE CONDITION THAT THEY ARE NOT TO BE USED, REPRODUCED, OR COPIED, IN WHOLE OR IN PART, OR FOR ANY PURPOSE, WITHOUT THE WRITTEN CONSENT OF PEA, INC. ALL COMMON LAW RIGHTS OF COPYRIGHT AND OTHERWISE ARE HEREBY SPECIFICALLY RESERVED. © 2019 PEA, INC.

CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THE REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD ORDER PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

3 FULL WORKING DAYS BEFORE YOU DIG CALL 811

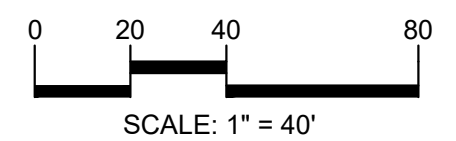
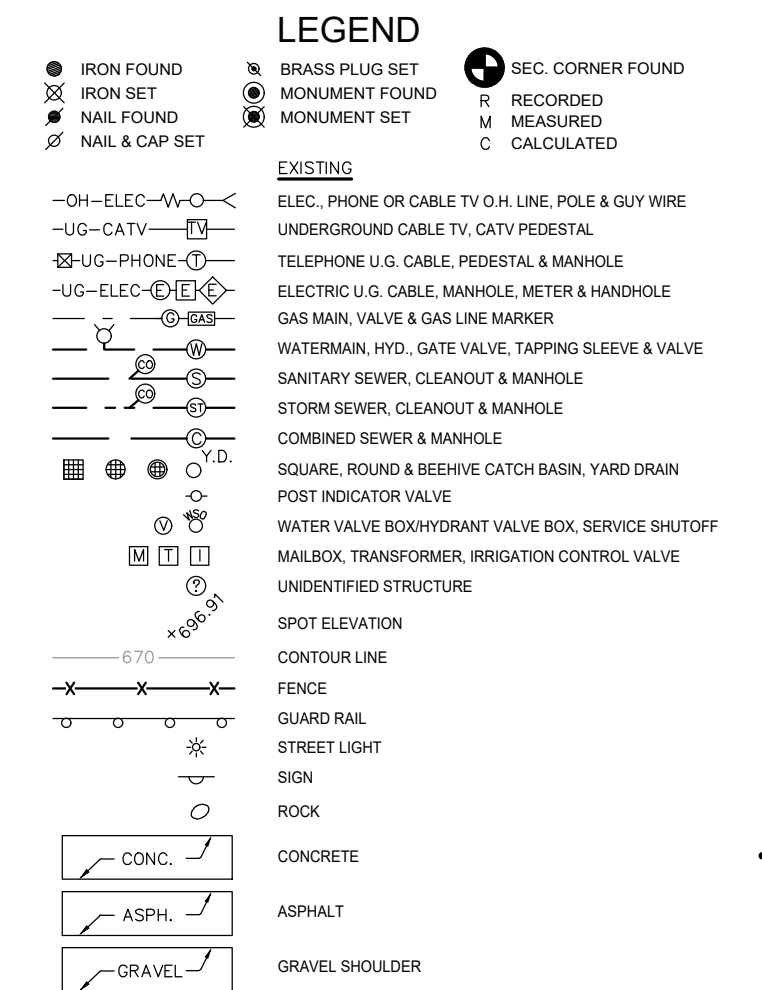
Know what's below
Call before you dig

MISS Dig System, Inc.
1-800-482-7171 www.missdig.net

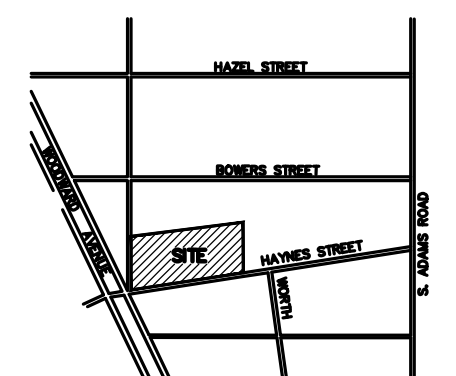
PEA, Inc.
2430 Rochester Ct. Ste 100
Troy, MI 48063-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

Lavery Michigan Dealership Properties No. 1, LLC		DES.		DN	RAT	SUR	DAN	P.M.	TDS
800 HANES STREET BIRMINGHAM, MICHIGAN 48009		LAND COMBINATION SURVEY		BIRMINGHAM, MICHIGAN 48009					
PART OF THE NORTH 1/4 OF SECTION 36, TOWN 2 NORTH, RANGE 10 EAST, COUNTY OF OAKLAND, MICHIGAN		BOWERS ADDITION		CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN					
PROJECT NO. 2019-344		PARCEL CONSULTATION SURVEY - DEPT. 15344		Last Computed					
ORIGINAL ISSUE DATE:		September 19, 2019							
PEA JOB NO. 2019-344									
SCALE: 1" = 100'									
DRAWING NUMBER:		C1.10							

PEA
GROUP
t: 844.813.2949
www.peagroup.com



CAUTION!!
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.



CLIENT
**US AUTO GROUP
LIMITED**
34602 WOODWARD AVENUE
BIRMINGHAM, MICHIGAN 48009

PROJECT TITLE
**PORSCHE
WOODWARD**
34350 WOODWARD AVENUE
BIRMINGHAM, OAKLAND COUNTY, MICHIGAN

ORIGINAL ISSUE DATE:
NOVEMBER 03, 2023

DRAWING TITLE

**ELM STREET
IMPROVEMENTS**

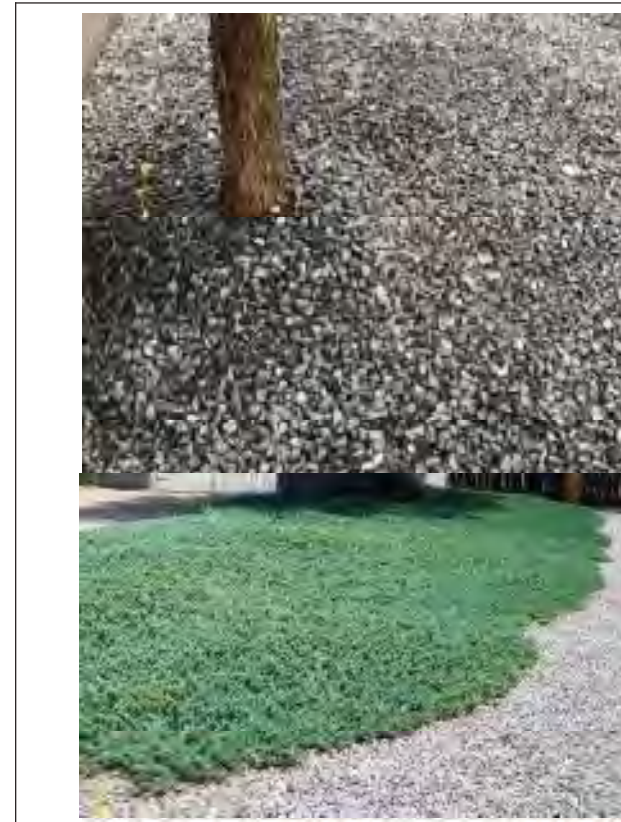
DRAWING NUMBER:

C-1.2

SITE KEY + PHOTOGRAPHS



GINKGO TREE (Ginkgo biloba - Autumn Gold)
Existing Trees - New Replacement Trees
Note: Male Tree - Non Fruit Bearing



LANDSCAPED AREA
EXISTING ADJACENT TO THE Building of Existing Located on Site
MINIMUM SPACING: 10' (SEE SHEET C2.10)
BLUE GRASS (POA) (Lupinus micranthus) Proposed



PYLON GROUND SIGN
Re-use Existing. Sign Dimensions = W 3'-0" x H 8'-0" x D 1'-0"



EXPOSED AGGREGATE CONCRETE PAVING
30"x30" Scoring Pattern Typical



EXISTING & NEW STREETLIGHTS (BL-X & SL-F)
Lumicon Street Light Model P190-42-W
To conform with Triangle District Standards



BENCHES AND TRASH RECEPTACLES
Re-use Existing which conform with Triangle District Standards
(3 benches + 3 receptacles on Haynes Street)



NEW IRON TREE GRATES Add &/or Replace as Necessary
East Jordan Iron Works - East Jordan, Michigan
with Ginkgo Leaf Pattern



BICYCLE RACKS
RING by Landscapes, Kalamazoo, Michigan
Conforms with Triangle District Standard



CHARGING STATION (AC)
2 Public Accessible located on Haynes Street



OVERHEAD DOORS

SITE, ZONING & BUILDING DATA

EXISTING ZONING	= MU-7 & MU-5
TOTAL SITE AREA	= 42,875 SQ. FT.
BUILDING AREAS	
15' (BUSINESS) USE GROUP AREA (Showroom + Office Areas)	
LEVEL: SHOWROOM	= 6,800 SF
LEVEL: SERVICE WRITE UP OFFICE AREA	= 300
LEVEL: OFFICE AREA	= 6,500
LEVEL: OFFICE AREA	= 1,980
TOTAL 15' USE GROUP AREA	= 15,580 SF
15'-2" (LOW HAZARD STORAGE) USE GROUP AREA (Parking Garage / Service / Storage / Non-Habitable Spaces)	
LEVEL: SERVICE WRITE UP SERVICE PARTS	= 30,000 SF
LEVEL: SERVICE WRITE UP OFFICE	= 300
LEVEL: PLAZA	= 2,400
LEVEL: PARKING STRUCTURE	= 26,000
TOTAL 15'-2" USE GROUP AREA	= 56,700 SF
BUILDING FOOTPRINT AREA	= 30,000 SF
PARKING REQUIRED	
MOTOR VEHICLE SALES AND SERVICE ESTABLISHMENT	
1 SPACE FOR EACH 500 SF OF FLOOR AREA, OR BULLER ROOM PLUS 1 SPACE FOR EACH AUTO SERVICE STALL, NOT TO BE USED FOR NEW CAR STORAGE	
SHOWROOM AREA = 6,800 SF / 500 SF PER SPACE = 14 SPACES REQUIRED	
SERVICE STALLS = 12 TOTAL / 1 SPACE PER STALL = 12 SPACES REQUIRED	
TOTAL SPACES REQUIRED = 26 SPACES	
PARKING PROVIDED	
LEVEL: 1 - 8 BAY LOT AREA PARKING	
LEVEL: 2 - 64 PARKING STRUCTURE SPACES	
LEVEL: 3 - 40 PARKING STRUCTURE SPACES	
TOTAL PARKING STRUCTURE SPACES	= 104 SPACES
MIN. NUMBER OF ACCESSIBLE PARKING SPACES PER ADA - SECTION 5, TABLE 202.2 FOR 104-200 PARKING SPACES	= 4
4 MINIMUM ACCESSIBLE PARKING SPACES	
1 VAN MINIMUM ACCESSIBLE PARKING SPACE	
1 TOTAL ACCESSIBLE SPACES	
HAYNES STREET	
LEVEL: 1 - 82 SPACES TOTAL - INCLUDING HAYNES STREET & ACCESSIBLE PARKING	
BICYCLE RACKS REQUIRED / PROVIDED	
1 RACK EVERY 3000 SF OF BUILDING AREA	= 10,300 SF
USE GROUP 15' BUSINESS AREA	= 15,580 SF
1 RACK EVERY 3000 SF OF BUILDING AREA	= 5,193 SF
TOTAL RACKS PROVIDED	= 15,573 SF
4 RACKS @ STREET LEVEL PROVIDED FOR 16 BICYCLES	
BUILDING HEIGHT	3 STORIES HEIGHT = 45'-0"

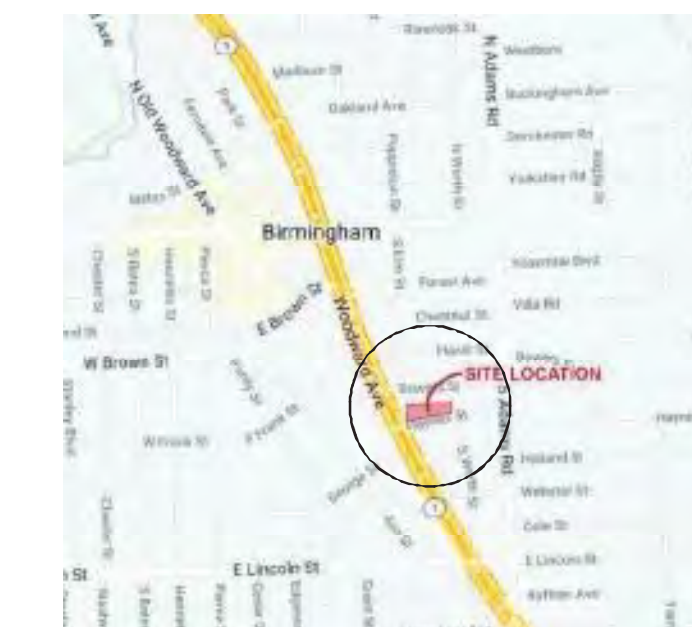
KEY:

- GOLLING ALFA ROMEO RAC ①
TODD'S ROOM ②
T-MOBILE ③
611 ELM ST. ④
PARMELEY'S PAINT & BODY WORK ⑤
999 HAYNES ST. ⑥
1006 BOWERS ST. ⑦
555 S. OLD WOODWARD AVE ⑧
WALGREENS ⑨
CITIZENS BANK ⑩

ADJACENT PROPERTIES (200FT FROM SITE)



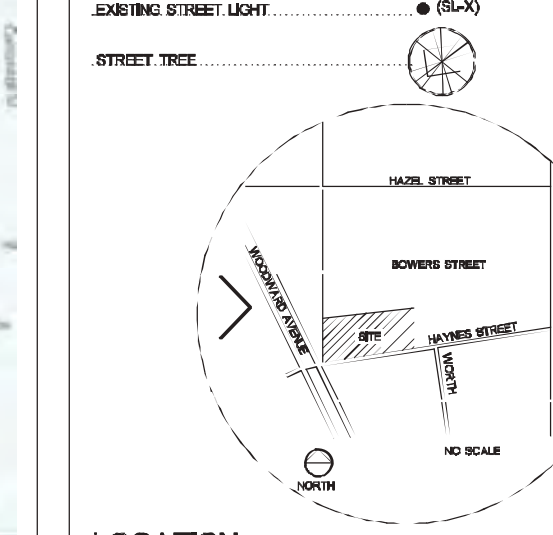
SITE LOCATION MAP



1 SITE AND LANDSCAPE PLAN
A/LA 100.1



LEGEND



Fred Lavery Company

Luckenbach
Ziegelman
Gardner
Architects
PLLC

Porsche Woodward DID
34350 Woodward Ave, Birmingham, MI 48009

Preliminary Site Plan | Landscape Plan | Location Map
Adjacent Properties within 200 feet

Project No. 21063

A/LA 100.1

10.26.2022 CIS / Preliminary
Site Plan Review
1/11.1.25.2023
Final Site Plan Review
1/21.SLUP Review

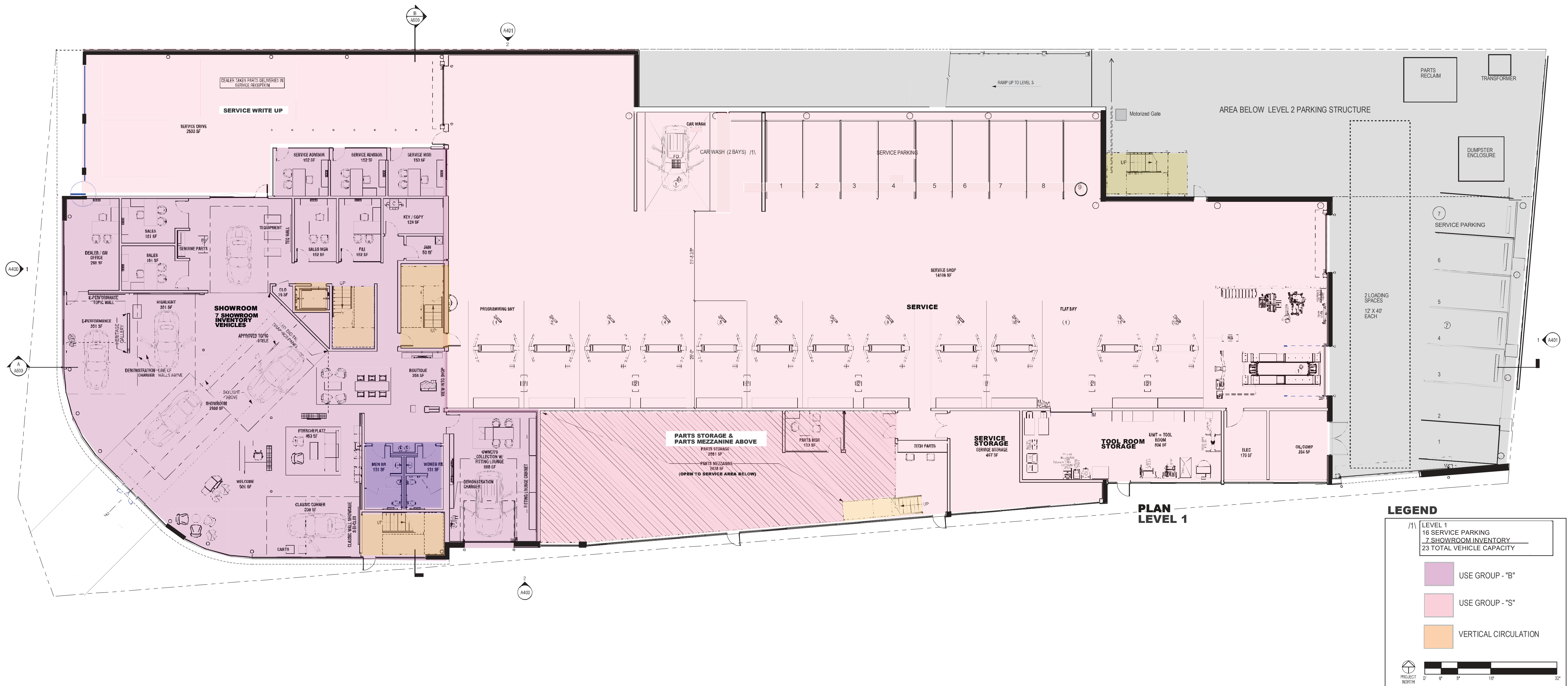
A tall, white, rectangular utility box stands on a sidewalk. At the top of the box is a crest featuring a shield with horizontal stripes and a central emblem. Below the crest, the name "Fred Lavery" is printed in a serif font. The background shows a street scene with parked cars and buildings.

[illegible]

				Exterior Finish Schedule		
T&L MATERIAL				SHAPES/TEXTURES	SCHEDULE/FINISH/NAME/TEST	
2	7	4	1	CS-1 WALL INTERIOR CONCRETE EXTERIOR WALLS WITH FINISH AND A LEADING 8 INCH MAX. JOINTS	SMOOTH TEXTURE OF PLASTER	
8	5		1	MR-1 ACRYLIC POLYMER RESIN (ARTIFICIAL) CAVES	FLAT	BRIDGEMAN ATAS TANGSA BLACK (RAL 7021) SMOOTH TEXTURE
6		6		MR-2 FIBRE BRANDED REINFORCING TO MATCH WITH FIN.		
	7		1	CM-1 STRUCTURAL CONCRETE (WALLS) AS SUPPLIED AT LEADING 8 INCHES	GLD CASTLE	FRAMING WITH FINE BLACK BRICKS AT VERTICAL JOINTS
	7		1	CM-2 STRUCTURAL CONCRETE (WALLS) AS SUPPLIED AT LEADING 8 INCHES	SUBJECT	FLAT/BLACK BLACK BEAM AT VERTICAL JOINTS
		7		CM-3 STRUCTURAL CONCRETE WALL GUARDING	GLD CASTLE	1 1/2" COBBLE WHITE CLEAR AS COBBLE
9	7		1	MR-1 ALUMINUM SPOONCOAT	GLD CASTLE	1 1/2" DEEP SPOON COBBLE ANGLE
			1	MR-2 ALUMINUM FINISHED SPOONCOAT	REFLECTIVE OR GLD CASTLE	1600 GAUZE CLEAR ANGLE
			1	CM-2 EXTERIOR INTERIOR AUTOMATED COATING	SHOWN IN WILLIAMS	1000 GAUZE SMOOTH 1600 GAUZE
2	6	3	1	MR-1 EXTERIOR FINISH		ALL EXPOSED STRUCTURAL STEEL, INTERIOR JOINTS, BRICKWORK BROWN
7			1	CM-1 CONCRETE		1 1/2" HARD CAPS/SEALS AT DECK/JOINTS (SEE FINISH PLAN FOR PRODUCT)
			1	MR-1 INTERIORLY COLOURED REINFORCED CONCRETE		107- HANCOCK RETAINING WALLS AT INTERIOR/DOOR (RAL 7021 DARK GREY)
			1	MR-2 INTERIORLY COLOURED CONCRETE		107- HANCOCK RETAINING WALLS (RAL 7021 DARK GREY)
			1	MR-2 CONCRETE PAVERS		107- HANCOCK RETAINING WALLS AT SHOWROOM (RAL 7021 DARK GREY TIGHT JOINTS)

PROJECT NORTH

0' 4' 8' 10' 30'



PRAXIS3

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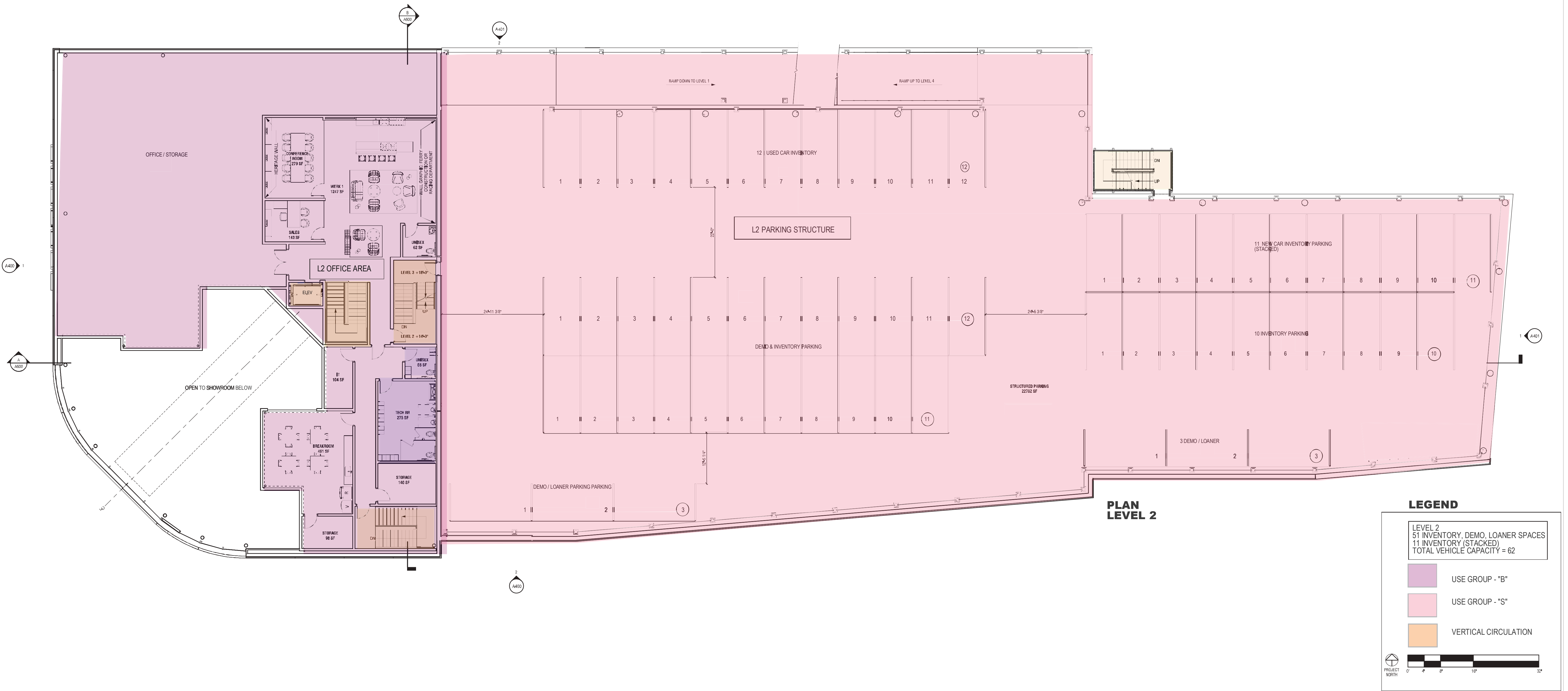
Porsche Woodward DID
34350 Woodward Ave, Birmingham, MI 48009

Floor Plan - Level 1

Project No. 21063

10.26.2022 CIS / Preliminary
Site Plan Review
/1/ 1.25.2023
Final Site Plan Review
/2/ 3.13.2023 SLUP Review

A201



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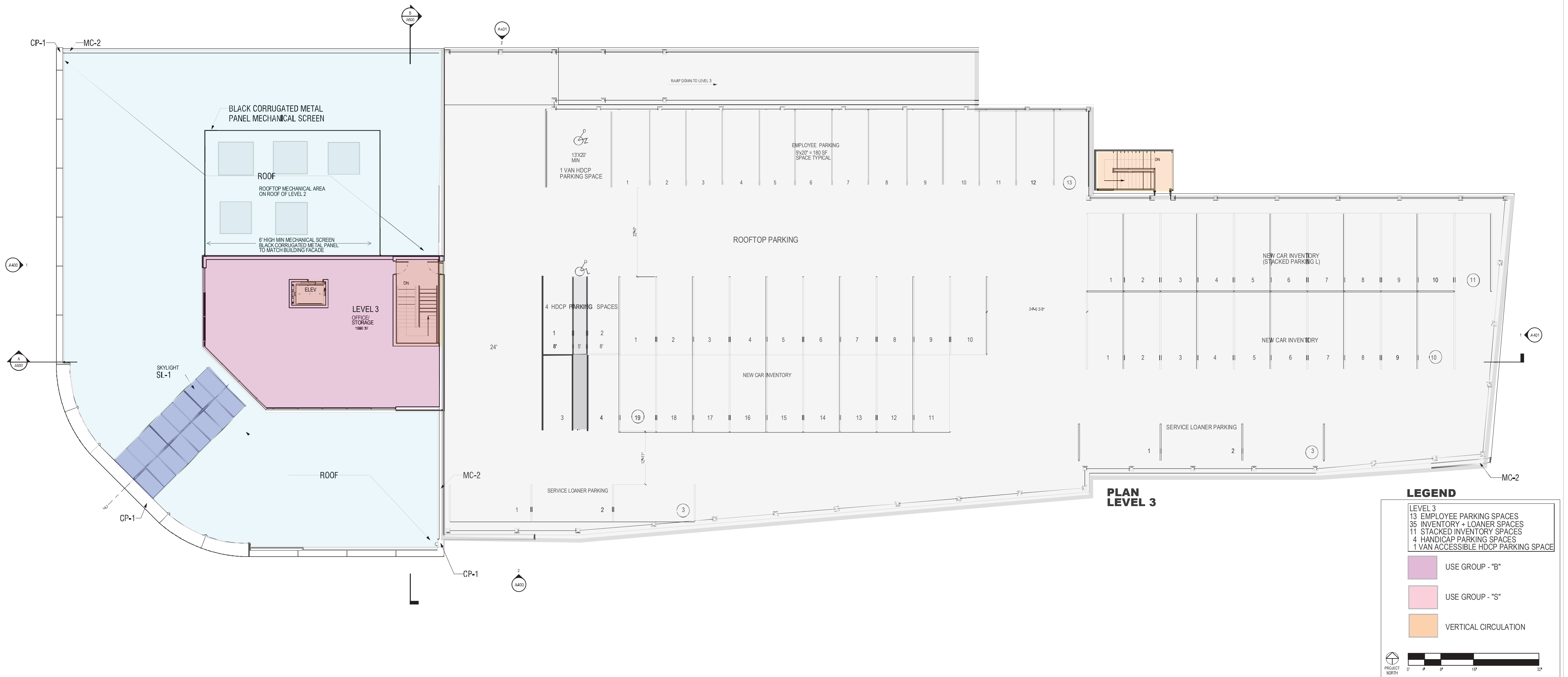
Porsche Woodward DID
34350 Woodward Ave, Birmingham, MI 48009

Floor Plan - Level 2

Project No. 21063

10.26.2022 CIS / Preliminary
Site Plan Review
/1/ 1.25.2023
Final Site Plan Review
/2/ 3.13.2023 SLUP Review

A202



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Ziegelman
Gardner
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PLLC

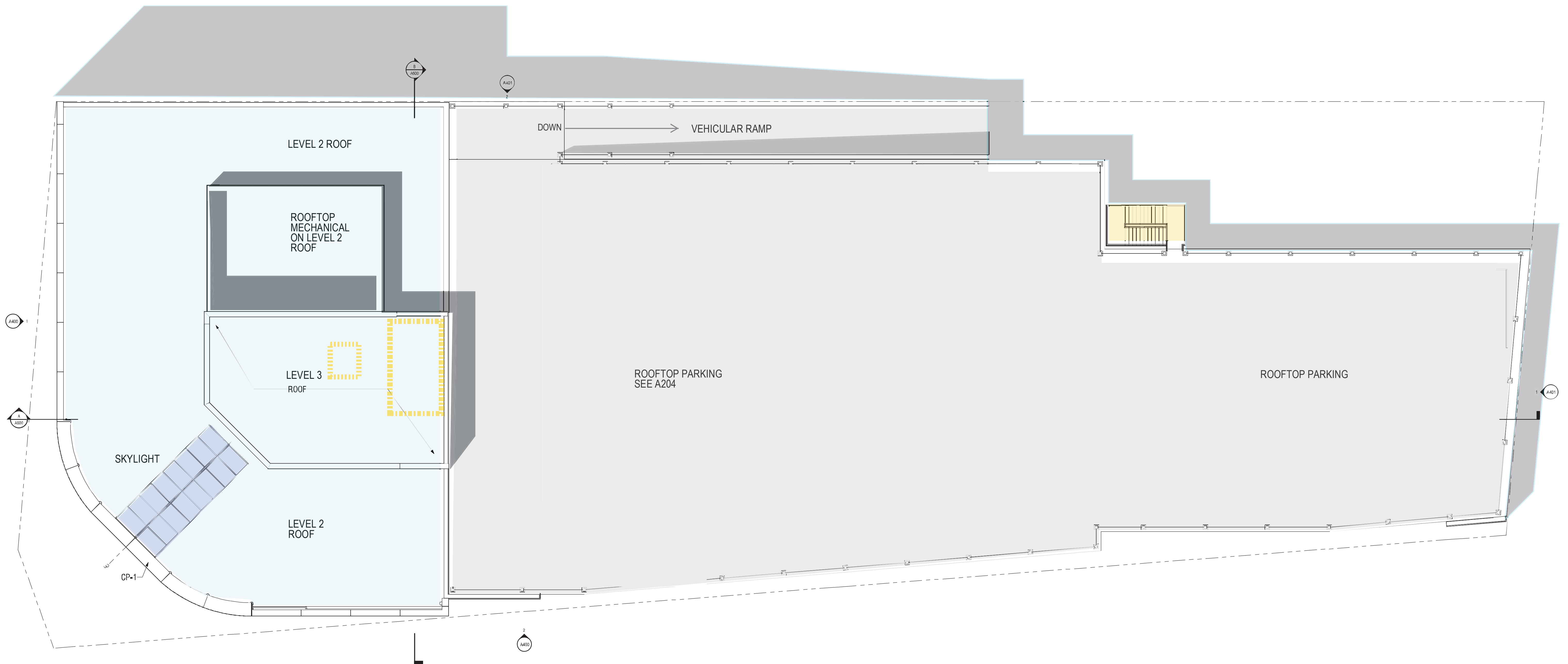
Porsche Woodward DID
34350 Woodward Ave, Birmingham, MI 48009

Level 3 - Parking and Storage

Project No. 21063

10.26.2022 CIS / Preliminary
Site Plan Review
/1/ 1.25.2023
Final Site Plan Review
/2/ 3.13.2023 SLUP Review

A204



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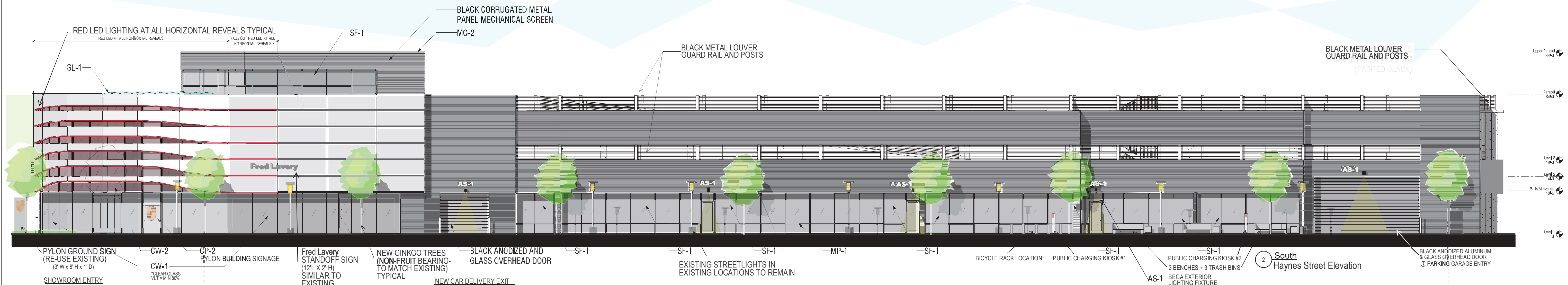
Porsche Woodward DID
34350 Woodward Ave, Birmingham, MI 48009

Roof Plan

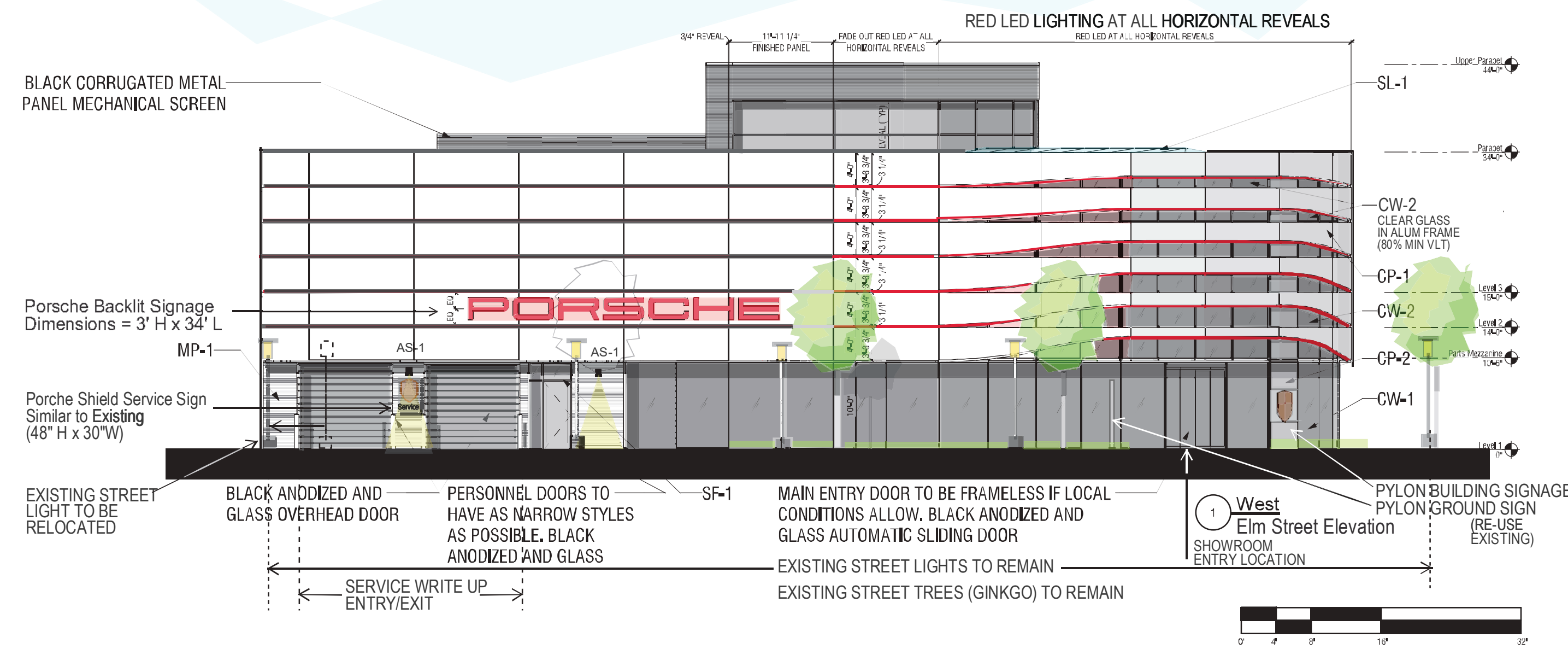
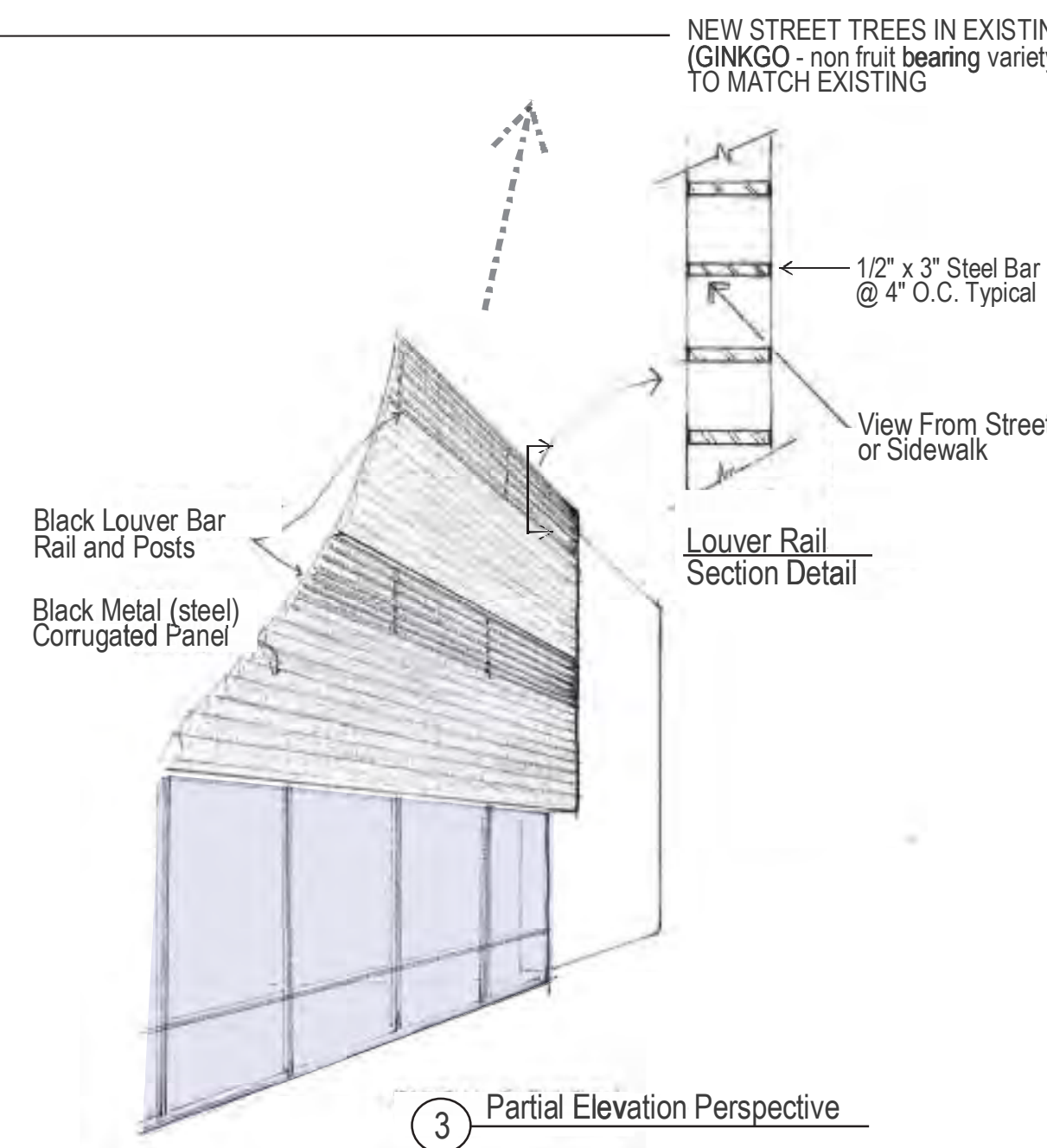
Project No. 21063

10.26.2022 CIS / Preliminary
Site Plan Review
/1/ 1.25.2023
Final Site Plan Review
/2/ 3.13.2023 SLUP Review

A205



Exterior Finish Schedule			
TAG	MATERIAL	MANUFACTURER	DESCRIPTION/COMMENTS
CP-1	MCM METAL COMPOSITE MATERIAL WALL PANEL B&G ALUCOBOND (SUNBSE SILVER)	SOBOTEC STRATUS OR AIG	
CP-2	MCM METAL COMPOSITE MATERIAL WALL PANEL B&G ALUCOBOND (TRAFFIC WHITE RAL 9016)	SOBOTEC STRATUS OR AIG	
MP-1	ARCHITECTURAL RIBBED METAL (ARM) WALL PANEL	ATAS	RED WALL ATAS TARGA BLACK (RAL 7021) SMOOTH TEXTURE
MC-2	PRE-FINISHED METAL COPING TO MATCH MP-1		
CW-1	STRUCTURAL CURTAIN WALL GLAZING AT SHOWROOM W/ CLEAR GLASS - VLT = MIN 80%	OLD CASTLE	FRAMELESS WITH FINIS. BLACK SEALANT AT VERTICAL JOINTS
CW-1	IMPACT RESISTANT STRUCTURAL CURTAIN WALL GLAZING AT SHOWROOM	SLIMPACT	FRAMELESS. BLACK SEALANT AT VERTICAL JOINTS
CW-2	STRUCTURAL CURTAIN WALL GLAZING W/ CLEAR GLASS - MIN VLT = 80%	OLD CASTLE	7-1/2" DEEP SYSTEM. CLEAR ANODIZED
SF-1	ALUMINUM STOREFRONT	OLD CASTLE	4-1/2" DEEP SYSTEM. BLACK ANODIZED
SL-1	ALUMINUM FRAMED SKYLIGHT	SUPERSKY OR OLD CASTLE	LOW SLOPE. CLEAR ANODIZED
EP-2	EXTERIOR PAINT/ELASTOMERIC COATING	SHERWIN WILLIAMS	SV 6990 CAVALIER, SEMI-GLOSS SHEEN
EP-3	EXTERIOR PAINT		ALL EXPOSED STRUCTURAL STEEL, MATCH RAL 9007, SEMI-GLOSS SHEEN
CN-1	CONCRETE		SITE HARDSCAPES/SIDEWALKS AT SHOWROOM. LIGHT BROWN FINISHED
CN-2	INTEGRALLY COLORED SEALED STAMPED CONCRETE		SITE HARDSCAPES/SIDEWALKS AT SHOWROOM. (RAL 7021) DARK GREY
CN-7	INTEGRALLY COLORED CONCRETE		SITE HARDSCAPES/RETAINING WALLS. (RAL 7021) DARK GREY
PV-2	CONCRETE PAVERS		SITE HARDSCAPES/SIDEWALKS AT SHOWROOM. (RAL 7021) DARK GREY. TIGHT JOINTS



Fred Lavery Company

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Ziegelman
Gardner
Architects
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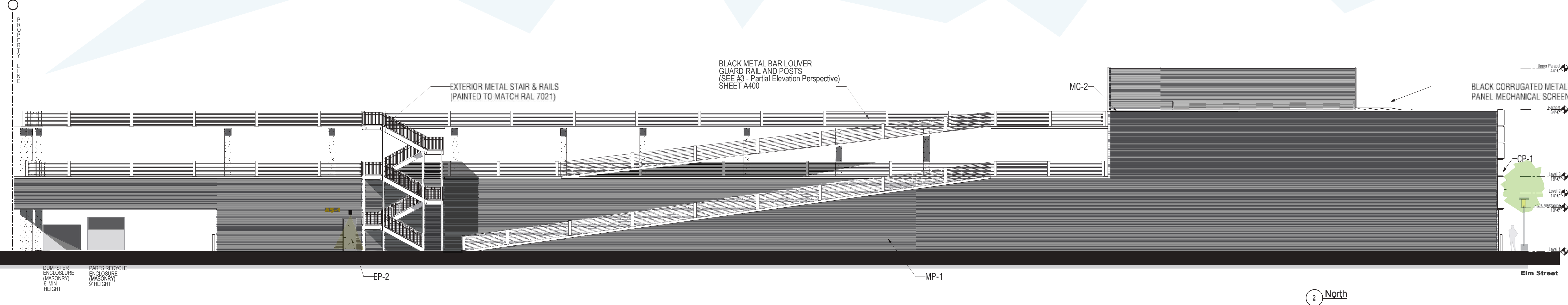
Porsche Woodward DID
34350 Woodward Ave, Birmingham, MI 48009

Elevations

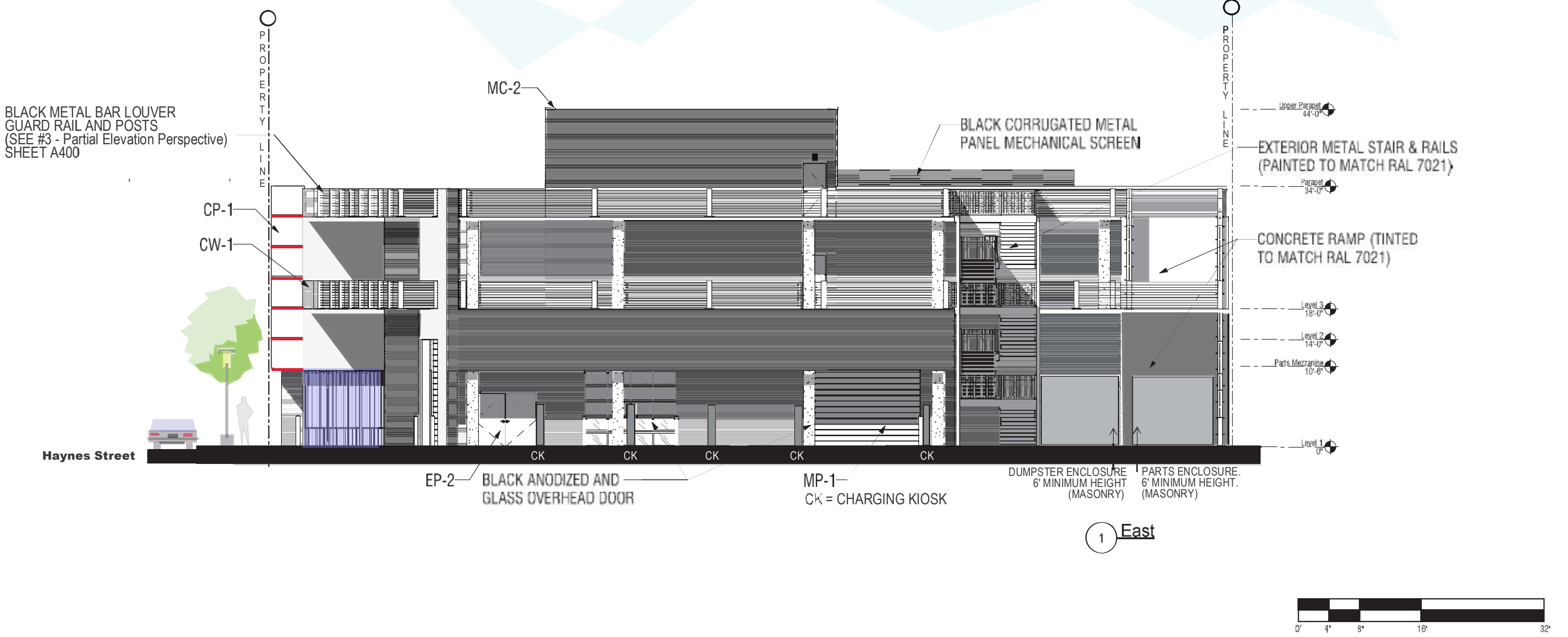
Project No. 21063

10.26.2022 CIS/
Preliminary Site Plan Review
09.15.2022
Final Site Plan Review
12.31.2023 SLUP Review

A400



Exterior Finish Schedule			
TAG	MATERIAL	MANUFACTURER	DESCRIPTION/COMMENTS
CP-1	MCW METAL COMPOSITE MATERIAL WALL PANEL, BNC ALLIGATOR (SUNRISE SILVER)	SCOTEC, STRATUS OR AGI	
CP-2	MCW METAL COMPOSITE MATERIAL WALL PANEL, BNC ALLIGATOR (TRAFFIC WHITE RAL 9016)	SCOTEC, STRATUS OR AGI	
WP-1	ARCHITECTURAL RUBBER METAL (DARK) WALL PANEL	ATAS	RUBBER WALL ATAS TARGA BLACK (RAL 7021) SMOOTH TEXTURE
MC-2	PRE-FINISHED METAL COPING TO MATCH MP-1		
CW-1	STRUCTURAL CURTAIN WALL GLAZING AT SHOWROOM	OLD CASTLE	FRAMELESS WITH FINIS, BLACK SEALANT AT VERTICAL JOINTS
CW-1	IMPACT RESISTANT STRUCTURAL CURTAIN WALL GLAZING AT SHOWROOM	SLIMPACT	FRAMELESS, BLACK SEALANT AT VERTICAL JOINTS
CW-2	STRUCTURAL CURTAIN WALL GLAZING	OLD CASTLE	1-1/2" DEEP SYSTEM, CLEAR ANODIZED
SP-1	ALUMINUM STOREFRONT	OLD CASTLE	1-1/2" DEEP SYSTEM, BLACK ANODIZED
SL-1	ALUMINUM FRAMED SKYLIGHT	SUPERSKY OR OLD CASTLE	LOW SLOPE, CLEAR ANODIZED
EP-2	EXTERIOR PAINT LAST OVER COATING	SHERWIN WILLIAMS	SW 6890 DAVAR, SEMI GLOSS SHEEN
EP-3	EXTERIOR PAINT		ALL EXPOSED STRUCTURAL STEEL MATCH RAL 9007, SEMI GLOSS SHEEN
CN-1	CONCRETE		SITE HARDSCAPES/SEWALKS AT SHOWROOM: LIGHT BROWN FINISHED
CN-2	INTEGRALLY COLORED SEALED STAMPED CONCRETE		SITE HARDSCAPES/SEWALKS AT SHOWROOM: (RAL 7021) DARK GREY
CN-7	INTEGRALLY COLORED CONCRETE		SITE HARDSCAPES: TRAINING WALLS: (RAL 7021) DARK GREY
PV-2	CONCRETE PAVING		SITE HARDSCAPES/SEWALKS AT SHOWROOM: (RAL 7021) DARK GREY, TIGHT JOINTS





Haynes Street Block



Elm Street Block

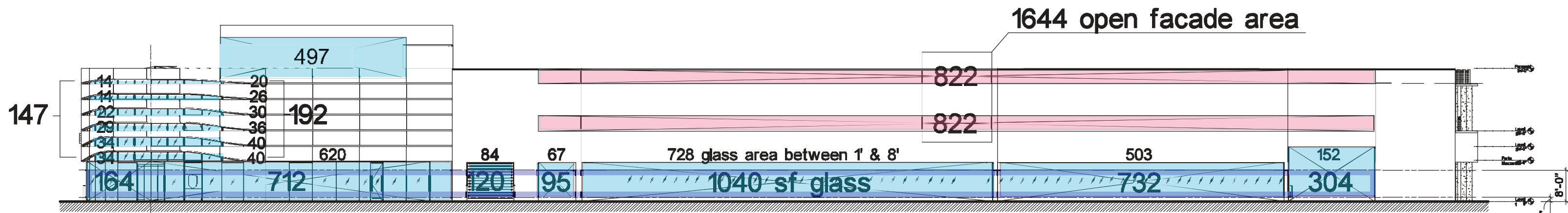
	Fred Lavery Company	Luckenbach Ziegelman Gardner Architects PLLC	Lavery Porsche Woodward 34350 Woodward Ave, Birmingham, MI 48009	Entire Block Facades	Project No. 21063	03.13.2023 SLUP REVIEW	A402
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SOUTH FACADE GLASS AREA =	4,003 SF
TOTAL SOUTH FACADE AREA =	12,668 SF
PERCENTAGE GLASS =	$4,003 / 12,668 (100) = 31.5\%$

SOUTH FACADE OPEN AREA =	1,644 SF
TOTAL SOUTH FACADE AREA =	12,668 SF
PERCENTAGE OPEN AREA =	$1,644 / 12,668 (100) = 13\%$

SOUTH FACADE GLASS & OPEN AREA =	5,647 SF
TOTAL SOUTH FACADE AREA =	12,668 SF
PERCENTAGE GLASS + OPEN AREA =	$5,647 / 12,668 (100) = 44.5\%$

HAYNES STREET ELEVATION
FACADE OPEN AREA AND GLASS AREA CALCULATIONS



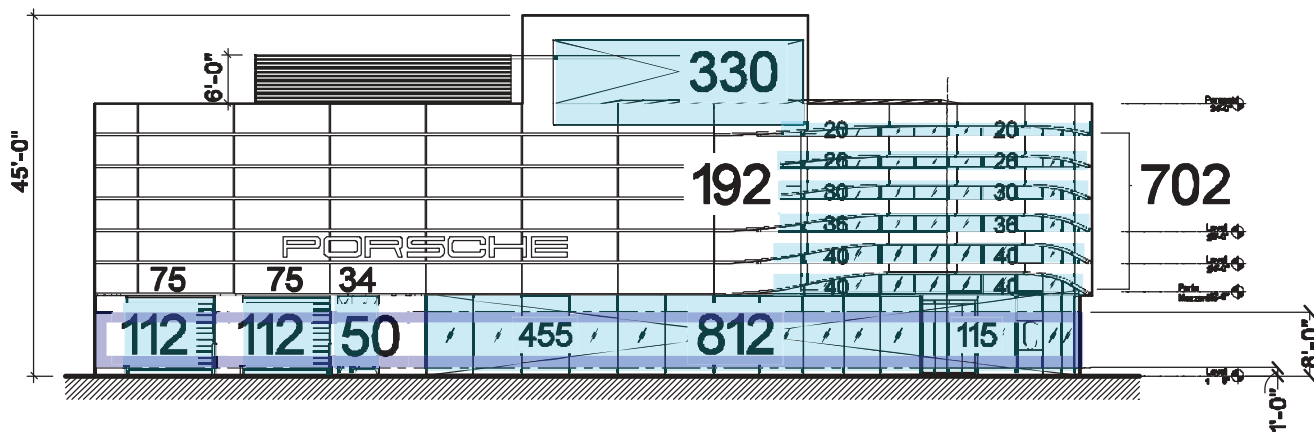
HAYNES STREET ELEVATION (SOUTH)

TOTAL GLASS AREA =	2,154 SF
TOTAL AREA BETWEEN 1' & 8' =	2,484 SF
% GLASS BETWEEN 1' & 8' =	$2,154 / 2,484 (100)$
TOTAL PERCENT GLASS =	86.7% (MIN. REQ'D = 70%)

HAYNES STREET ELEVATION
GLASS PERCENTAGE BETWEEN 1' & 8' FEET

WEST FACADE GLASS AREA =	2,310 SF
TOTAL SOUTH FACADE AREA =	4,740 SF
PERCENTAGE GLASS AREA =	$2,310 / 4,740 (100) = 46.4\%$

ELM STREET ELEVATION
FACADE GLASS CALCULATIONS

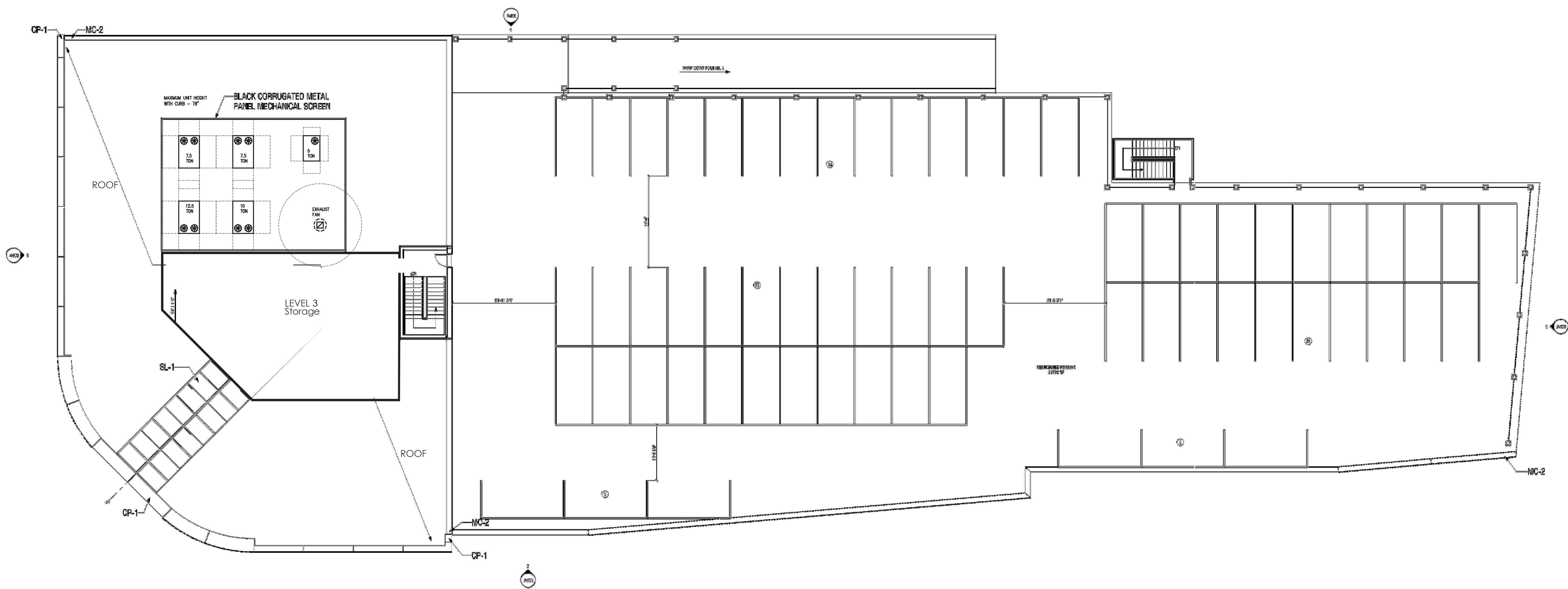


ELM STREET ELEVATION (WEST)

TOTAL GLASS AREA =	754 SF
TOTAL AREA BETWEEN 1' & 8' =	865 SF
% GLASS BETWEEN 1' & 8' =	$754 / 865 (100)$
TOTAL PERCENT GLASS =	87.2% (MIN. REQ'D = 70%)

ELM STREET ELEVATION
% GLASS BETWEEN 1' & 8'





PRAXIS3

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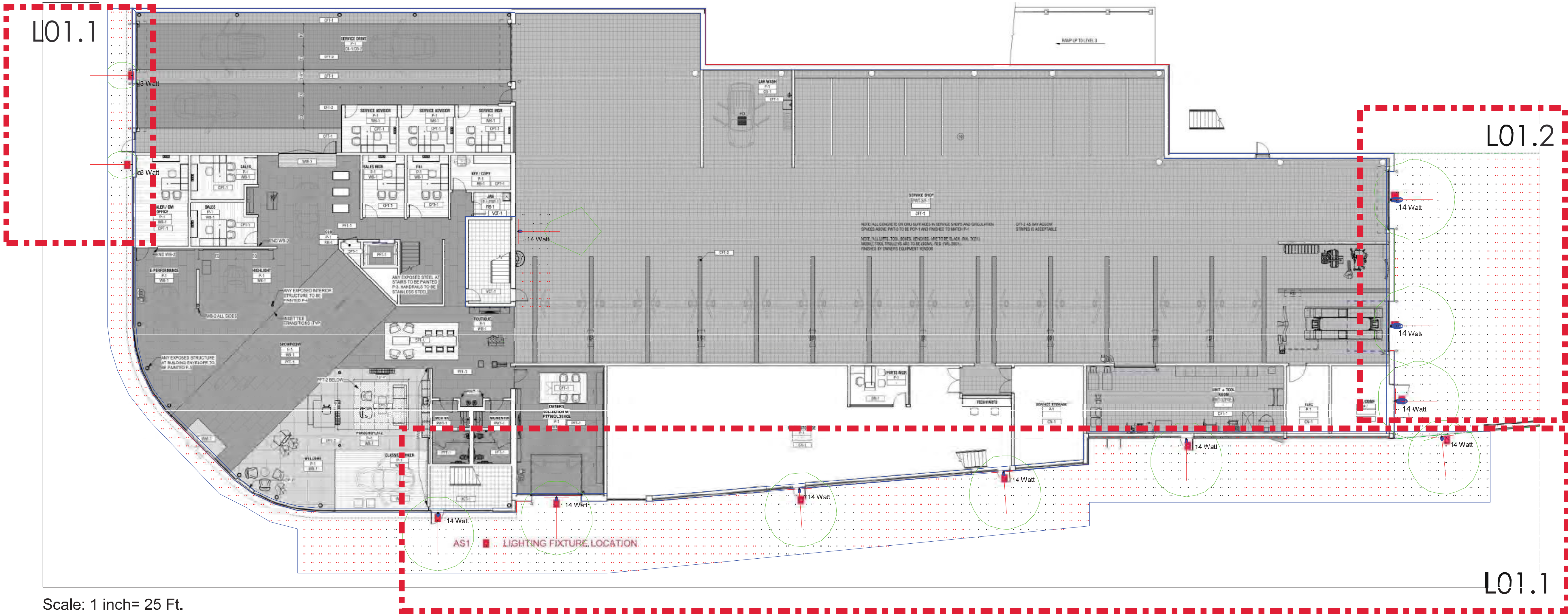
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Mechanical Roof Plan

Project No. 21063

10.26.2022 CIS / Preliminary
Site Plan Review
/1/ 1.25.2023
Final Site Plan Review
/2/ 3.13.2023 SLUP Review

M01



LIGHTING FIXTURE SCHEDULE				
SYMBOL	TYPE	QTY	WATTS	LUMENS
⊕	14 Watt	7	17	1217
⊙	3 Watt	2	5	145

CALCULATION SUMMARY					
LABEL	UNITS	AVG	MAX	MIN	MAX/MIN
Garage Area_Floor	Fc	1.72	42.6	0.0	N.A.
Sidewalk_Planar	Fc	1.09	11.6	0.0	N.A.
Upper Garage Entry	Fc	4.71	34.9	0.0	N.A.

NOTES:

- STANDARD LIGHT REFLECTANCE VALUES: 80% CEILING, 50% WALLS, 20% FLOORS.
- TYPICAL CALCULATION PLANE HEIGHTS ARE INDICATED BY FLOOR BEING AT 0'-0" AND WORKPLANE BEING AT 2'-6".
- LUMINAIRES SHOWN ARE BASIS OF DESIGN.

date

REVISION
X

5145 Livernois, Suite 100
Troy, Michigan 48068-3275
T: 248-879-5666 F: 248-879-007
www.PeterBassoAssociates.com
PBA Project #



PROJECT TITLE
LAVERY PORSCHE EXTERIOR LIGHTING

SHEET TITLE
EXTERIOR LIGHTING CALCULATIONS

DATE

10.26.2022 CIS / Preliminary
Site Plan Review

BY:

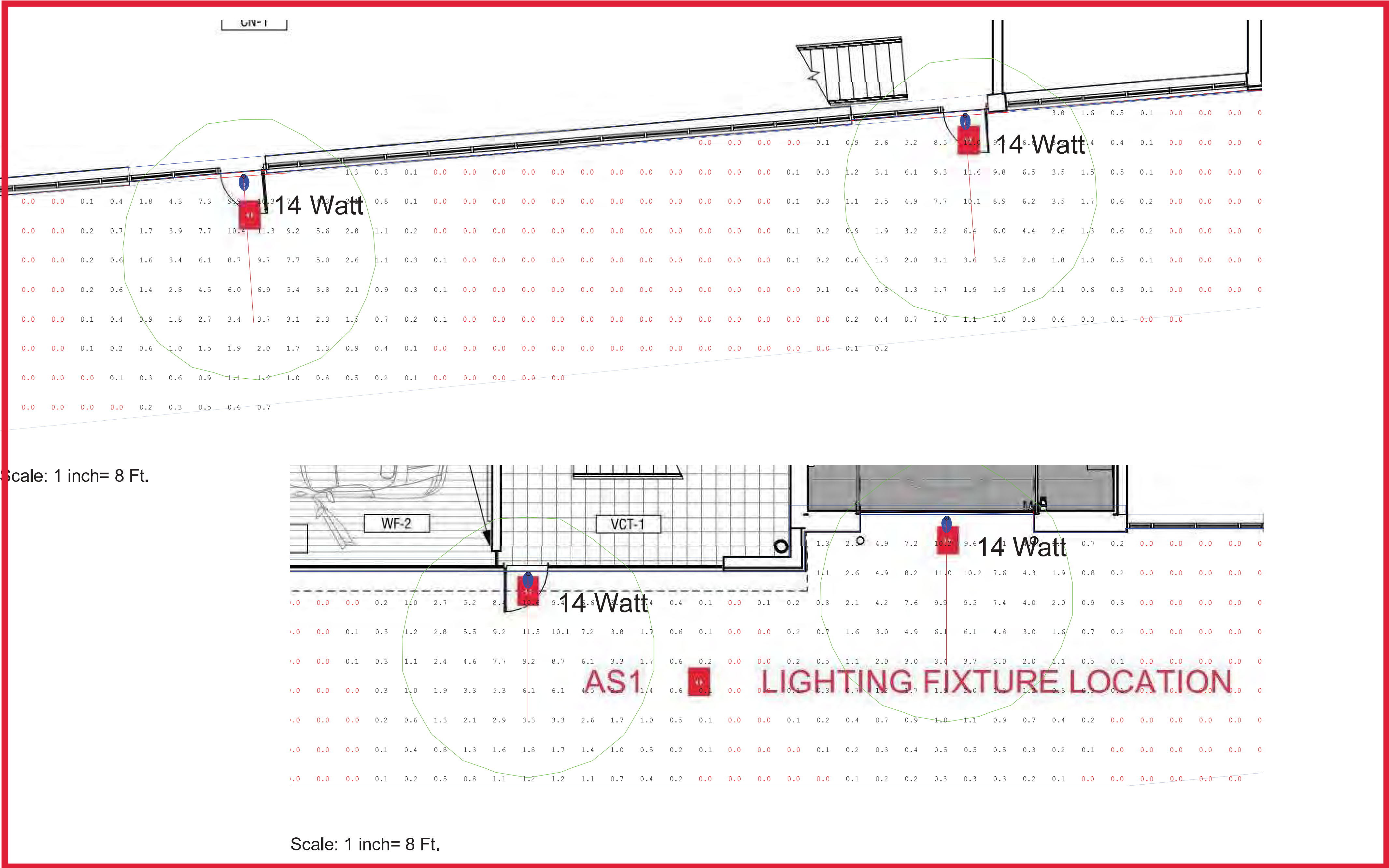
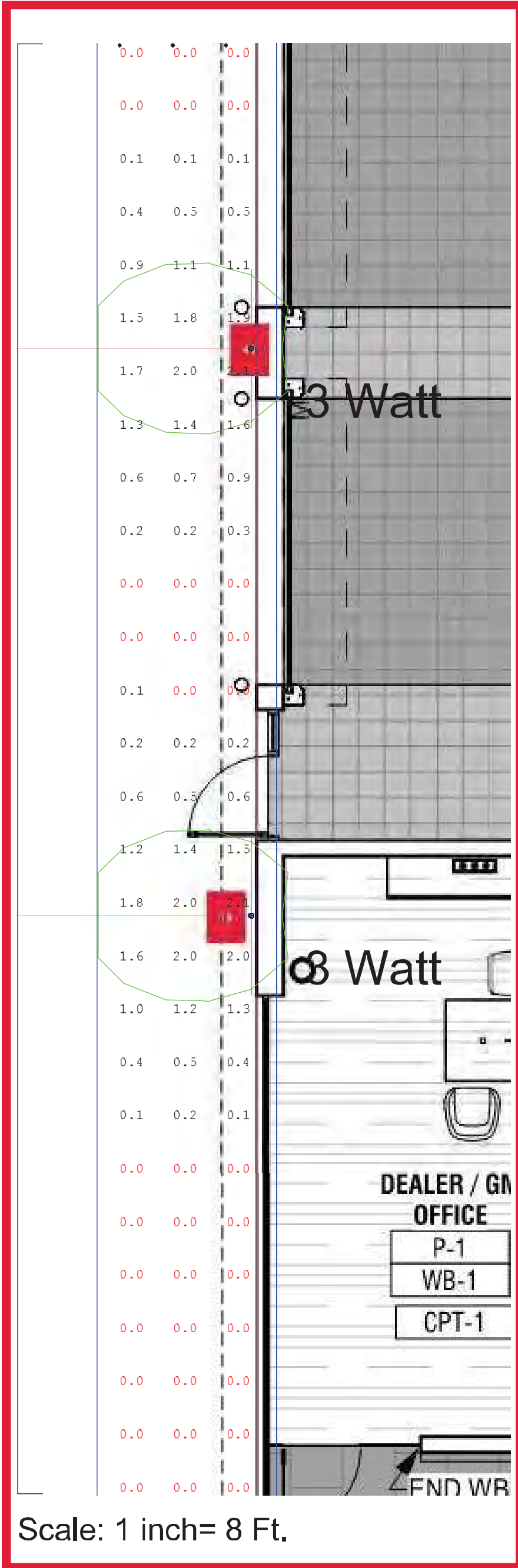
/1/ 1.25.2023
Final Site Plan Review

AS/KD

/2/ 3.13.2023
SLUP Review

SHEET No.

L01



LIGHTING FIXTURE SCHEDULE					
SYMBOL	TYPE	QTY	WATTS	LUMENS	DESCRIPTION / NOTES
⊙	22 Watt	3	26	2023	
⊕	14 Watt	7	17	1217	
⊗	3 Watt	2	5	145	

CALCULATION SUMMARY					
LABEL	UNITS	AVG	MAX	MIN	MAX/MIN
Garage Area_Floor	Fc	1.72	42.6	0.0	N.A.
Sidewalk_Planar	Fc	1.09	11.6	0.0	N.A.
Upper Garage Entry	Fc	4.71	34.9	0.0	N.A.

- NOTES:
1. STANDARD LIGHT REFLECTANCE VALUES: 80% CEILING, 50% WALLS, 20% FLOORS.
 2. TYPICAL CALCULATION PLANE HEIGHTS ARE INDICATED BY FLOOR BEING AT 0'-0" AND WORKPLANE BEING AT 2'-6".
 3. LUMINAIRES SHOWN ARE BASIS OF DESIGN.

10.26.2022 CIS / Preliminary
Site Plan Review
/1/ 1.25.2023
Final Site Plan Review
/2/ 3.13.2023
SLLUP REVIEW

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PROJECT TITLE
LAVERY PORSCHE EXTERIOR LIGHTING

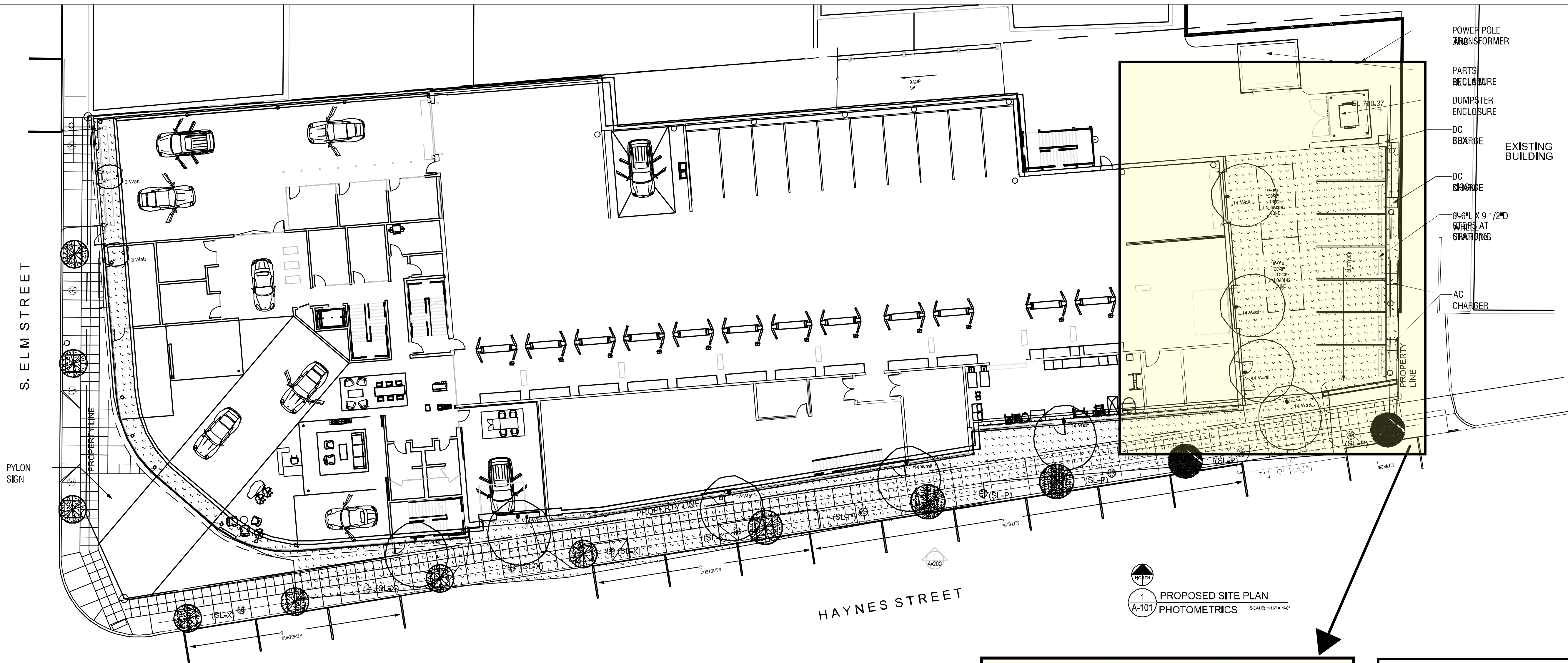
SHEET TITLE
EXTERIOR LIGHTING CALCULATIONS

DATE
2022-08-26

BY:
AS/KD

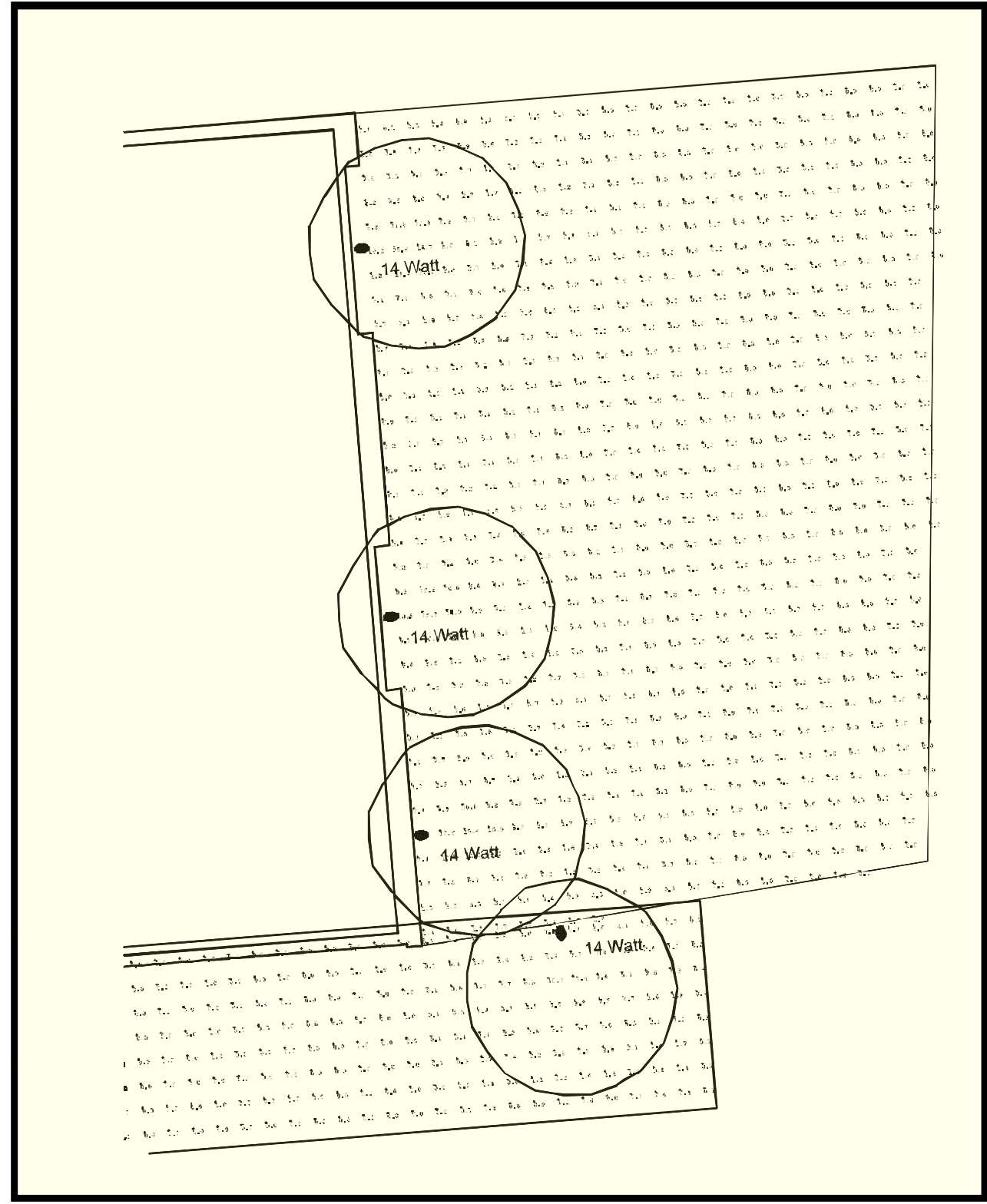
SHEET No.





1
A-101
PROPOSED SITE PLAN
PHOTOMETRICS
SCALE: 1/8" = 1'-0"

CALCULATION SUMMARY					
LABEL	FIXTURE UNITS	AVE	MAX	MIN	
Garage Area Floor	14W Fc	2.50	15.4	0.0	
Sidewalk Planar	14W Fc	1.09	11.6	0.0	



2
A-112
PLAN DETAIL- MAIN LEVEL PARKING STRUCTURE CIRCULATION
PHOTOMETRICS - LIGHTING LEVELS
SCALE: 1/8" = 1'-0"

LED wall luminaires - directed light

BEGA

Application:
LED wall luminaires with directed light distribution designed for general illumination of parking areas and building exteriors from various mounting heights.

Materials:
Luminaire housing constructed of die-cast extruded grade 6061 aluminum (6061-T6 temper as welded) 4096.0 aluminum alloy.
Clear polycarbonate lens.
Reflector made of pure anodized aluminum.
Sensors replaced robotically to ensure precise beam spread and uniformity.

High temperature aluminum housing:
Mechanically extruded and heat treated to ensure high strength and stability.

IP68 rating to North American standards, suitable for wall locations.
Protection class IP68.
Height: 2.20m.

Technical:
Operating voltage: 120-277V AC
Maximum ambient temperature: 40°C
LED module voltage: 14.0V
System voltage: 17.0V
Connectivity: D-102, 104, and 105 (dimmable)
Color rendering index: Ra > 90
Luminous flux: 1,218 lumens (2000K)
Lumens at 20°C: 1,218 lumens (2000K)
Lumens at 40°C: 1,218 lumens (2000K)

LED color temperature:
□ 2000K - Product number: 104
□ 3000K - Product number: 105
□ 4000K - Product number: 106
□ 5000K - Product number: 107
□ 6000K - Product number: 108

Notes:
BEGA can supply you with suitable LED replacement modules for up to 20 years after the purchase of LED luminaires - see website for details.

Finish:
All BEGA standard finishes are matte, finished polyester powder coat with minimum 0.1 mil thickness.
Available colors: □ White (RAL 9016) □ Black (RAL 9005) □ Silver (RAL 9006) □ Grey (RAL 7035) □ Blue (RAL 5015) □ Green (RAL 6005) □ Yellow (RAL 1023) □ Red (RAL 3000) □ Orange (RAL 2000) □ Purple (RAL 5010) □ Brown (RAL 8017) □ Gold (RAL 9003) □ Copper (RAL 9004) □ Bronze (RAL 9005) □ Silver (RAL 9006) □ Black (RAL 9007) □ White (RAL 9008) □ Grey (RAL 9009) □ Blue (RAL 9010) □ Green (RAL 9011) □ Yellow (RAL 9012) □ Orange (RAL 9013) □ Red (RAL 9014) □ Purple (RAL 9015) □ Brown (RAL 9016) □ Gold (RAL 9017) □ Copper (RAL 9018) □ Bronze (RAL 9019) □ Silver (RAL 9020) □ Black (RAL 9021) □ White (RAL 9022) □ Grey (RAL 9023) □ Blue (RAL 9024) □ Green (RAL 9025) □ Yellow (RAL 9026) □ Orange (RAL 9027) □ Red (RAL 9028) □ Purple (RAL 9029) □ Brown (RAL 9030) □ Gold (RAL 9031) □ Copper (RAL 9032) □ Bronze (RAL 9033) □ Silver (RAL 9034) □ Black (RAL 9035) □ White (RAL 9036) □ Grey (RAL 9037) □ Blue (RAL 9038) □ Green (RAL 9039) □ Yellow (RAL 9040) □ Orange (RAL 9041) □ Red (RAL 9042) □ Purple (RAL 9043) □ Brown (RAL 9044) □ Gold (RAL 9045) □ Copper (RAL 9046) □ Bronze (RAL 9047) □ Silver (RAL 9048) □ Black (RAL 9049) □ White (RAL 9050) □ Grey (RAL 9051) □ Blue (RAL 9052) □ Green (RAL 9053) □ Yellow (RAL 9054) □ Orange (RAL 9055) □ Red (RAL 9056) □ Purple (RAL 9057) □ Brown (RAL 9058) □ Gold (RAL 9059) □ Copper (RAL 9060) □ Bronze (RAL 9061) □ Silver (RAL 9062) □ Black (RAL 9063) □ White (RAL 9064) □ Grey (RAL 9065) □ Blue (RAL 9066) □ Green (RAL 9067) □ Yellow (RAL 9068) □ Orange (RAL 9069) □ Red (RAL 9070) □ Purple (RAL 9071) □ Brown (RAL 9072) □ Gold (RAL 9073) □ Copper (RAL 9074) □ Bronze (RAL 9075) □ Silver (RAL 9076) □ Black (RAL 9077) □ White (RAL 9078) □ Grey (RAL 9079) □ Blue (RAL 9080) □ Green (RAL 9081) □ Yellow (RAL 9082) □ Orange (RAL 9083) □ Red (RAL 9084) □ Purple (RAL 9085) □ Brown (RAL 9086) □ Gold (RAL 9087) □ Copper (RAL 9088) □ Bronze (RAL 9089) □ Silver (RAL 9090) □ Black (RAL 9091) □ White (RAL 9092) □ Grey (RAL 9093) □ Blue (RAL 9094) □ Green (RAL 9095) □ Yellow (RAL 9096) □ Orange (RAL 9097) □ Red (RAL 9098) □ Purple (RAL 9099) □ Brown (RAL 9100) □ Gold (RAL 9101) □ Copper (RAL 9102) □ Bronze (RAL 9103) □ Silver (RAL 9104) □ Black (RAL 9105) □ White (RAL 9106) □ Grey (RAL 9107) □ Blue (RAL 9108) □ Green (RAL 9109) □ Yellow (RAL 9110) □ Orange (RAL 9111) □ Red (RAL 9112) □ Purple (RAL 9113) □ Brown (RAL 9114) □ Gold (RAL 9115) □ Copper (RAL 9116) □ Bronze (RAL 9117) □ Silver (RAL 9118) □ Black (RAL 9119) □ White (RAL 9120) □ Grey (RAL 9121) □ Blue (RAL 9122) □ Green (RAL 9123) □ Yellow (RAL 9124) □ Orange (RAL 9125) □ Red (RAL 9126) □ Purple (RAL 9127) □ Brown (RAL 9128) □ Gold (RAL 9129) □ Copper (RAL 9130) □ Bronze (RAL 9131) □ Silver (RAL 9132) □ Black (RAL 9133) □ White (RAL 9134) □ Grey (RAL 9135) □ Blue (RAL 9136) □ Green (RAL 9137) □ Yellow (RAL 9138) □ Orange (RAL 9139) □ Red (RAL 9140) □ Purple (RAL 9141) □ Brown (RAL 9142) □ Gold (RAL 9143) □ Copper (RAL 9144) □ Bronze (RAL 9145) □ Silver (RAL 9146) □ Black (RAL 9147) □ White (RAL 9148) □ Grey (RAL 9149) □ Blue (RAL 9150) □ Green (RAL 9151) □ Yellow (RAL 9152) □ Orange (RAL 9153) □ Red (RAL 9154) □ Purple (RAL 9155) □ Brown (RAL 9156) □ Gold (RAL 9157) □ Copper (RAL 9158) □ Bronze (RAL 9159) □ Silver (RAL 9160) □ Black (RAL 9161) □ White (RAL 9162) □ Grey (RAL 9163) □ Blue (RAL 9164) □ Green (RAL 9165) □ Yellow (RAL 9166) □ Orange (RAL 9167) □ Red (RAL 9168) □ Purple (RAL 9169) □ Brown (RAL 9170) □ Gold (RAL 9171) □ Copper (RAL 9172) □ Bronze (RAL 9173) □ Silver (RAL 9174) □ Black (RAL 9175) □ White (RAL 9176) □ Grey (RAL 9177) □ Blue (RAL 9178) □ Green (RAL 9179) □ Yellow (RAL 9180) □ Orange (RAL 9181) □ Red (RAL 9182) □ Purple (RAL 9183) □ Brown (RAL 9184) □ Gold (RAL 9185) □ Copper (RAL 9186) □ Bronze (RAL 9187) □ Silver (RAL 9188) □ Black (RAL 9189) □ White (RAL 9190) □ Grey (RAL 9191) □ Blue (RAL 9192) □ Green (RAL 9193) □ Yellow (RAL 9194) □ Orange (RAL 9195) □ Red (RAL 9196) □ Purple (RAL 9197) □ Brown (RAL 9198) □ Gold (RAL 9199) □ Copper (RAL 9200) □ Bronze (RAL 9201) □ Silver (RAL 9202) □ Black (RAL 9203) □ White (RAL 9204) □ Grey (RAL 9205) □ Blue (RAL 9206) □ Green (RAL 9207) □ Yellow (RAL 9208) □ Orange (RAL 9209) □ Red (RAL 9210) □ Purple (RAL 9211) □ Brown (RAL 9212) □ Gold (RAL 9213) □ Copper (RAL 9214) □ Bronze (RAL 9215) □ Silver (RAL 9216) □ Black (RAL 9217) □ White (RAL 9218) □ Grey (RAL 9219) □ Blue (RAL 9220) □ Green (RAL 9221) □ Yellow (RAL 9222) □ Orange (RAL 9223) □ Red (RAL 9224) □ Purple (RAL 9225) □ Brown (RAL 9226) □ Gold (RAL 9227) □ Copper (RAL 9228) □ Bronze (RAL 9229) □ Silver (RAL 9230) □ Black (RAL 9231) □ White (RAL 9232) □ Grey (RAL 9233) □ Blue (RAL 9234) □ Green (RAL 9235) □ Yellow (RAL 9236) □ Orange (RAL 9237) □ Red (RAL 9238) □ Purple (RAL 9239) □ Brown (RAL 9240) □ Gold (RAL 9241) □ Copper (RAL 9242) □ Bronze (RAL 9243) □ Silver (RAL 9244) □ Black (RAL 9245) □ White (RAL 9246) □ Grey (RAL 9247) □ Blue (RAL 9248) □ Green (RAL 9249) □ Yellow (RAL 9250) □ Orange (RAL 9251) □ Red (RAL 9252) □ Purple (RAL 9253) □ Brown (RAL 9254) □ Gold (RAL 9255) □ Copper (RAL 9256) □ Bronze (RAL 9257) □ Silver (RAL 9258) □ Black (RAL 9259) □ White (RAL 9260) □ Grey (RAL 9261) □ Blue (RAL 9262) □ Green (RAL 9263) □ Yellow (RAL 9264) □ Orange (RAL 9265) □ Red (RAL 9266) □ Purple (RAL 9267) □ Brown (RAL 9268) □ Gold (RAL 9269) □ Copper (RAL 9270) □ Bronze (RAL 9271) □ Silver (RAL 9272) □ Black (RAL 9273) □ White (RAL 9274) □ Grey (RAL 9275) □ Blue (RAL 9276) □ Green (RAL 9277) □ Yellow (RAL 9278) □ Orange (RAL 9279) □ Red (RAL 9280) □ Purple (RAL 9281) □ Brown (RAL 9282) □ Gold (RAL 9283) □ Copper (RAL 9284) □ Bronze (RAL 9285) □ Silver (RAL 9286) □ Black (RAL 9287) □ White (RAL 9288) □ Grey (RAL 9289) □ Blue (RAL 9290) □ Green (RAL 9291) □ Yellow (RAL 9292) □ Orange (RAL 9293) □ Red (RAL 9294) □ Purple (RAL 9295) □ Brown (RAL 9296) □ Gold (RAL 9297) □ Copper (RAL 9298) □ Bronze (RAL 9299) □ Silver (RAL 9300) □ Black (RAL 9301) □ White (RAL 9302) □ Grey (RAL 9303) □ Blue (RAL 9304) □ Green (RAL 9305) □ Yellow (RAL 9306) □ Orange (RAL 9307) □ Red (RAL 9308) □ Purple (RAL 9309) □ Brown (RAL 9310) □ Gold (RAL 9311) □ Copper (RAL 9312) □ Bronze (RAL 9313) □ Silver (RAL 9314) □ Black (RAL 9315) □ White (RAL 9316) □ Grey (RAL 9317) □ Blue (RAL 9318) □ Green (RAL 9319) □ Yellow (RAL 9320) □ Orange (RAL 9321) □ Red (RAL 9322) □ Purple (RAL 9323) □ Brown (RAL 9324) □ Gold (RAL 9325) □ Copper (RAL 9326) □ Bronze (RAL 9327) □ Silver (RAL 9328) □ Black (RAL 9329) □ White (RAL 9330) □ Grey (RAL 9331) □ Blue (RAL 9332) □ Green (RAL 9333) □ Yellow (RAL 9334) □ Orange (RAL 9335) □ Red (RAL 9336) □ Purple (RAL 9337) □ Brown (RAL 9338) □ Gold (RAL 9339) □ Copper (RAL 9340) □ Bronze (RAL 9341) □ Silver (RAL 9342) □ Black (RAL 9343) □ White (RAL 9344) □ Grey (RAL 9345) □ Blue (RAL 9346) □ Green (RAL 9347) □ Yellow (RAL 9348) □ Orange (RAL 9349) □ Red (RAL 9350) □ Purple (RAL 9351) □ Brown (RAL 9352) □ Gold (RAL 9353) □ Copper (RAL 9354) □ Bronze (RAL 9355) □ Silver (RAL 9356) □ Black (RAL 9357) □ White (RAL 9358) □ Grey (RAL 9359) □ Blue (RAL 9360) □ Green (RAL 9361) □ Yellow (RAL 9362) □ Orange (RAL 9363) □ Red (RAL 9364) □ Purple (RAL 9365) □ Brown (RAL 9366) □ Gold (RAL 9367) □ Copper (RAL 9368) □ Bronze (RAL 9369) □ Silver (RAL 9370) □ Black (RAL 9371) □ White (RAL 9372) □ Grey (RAL 9373) □ Blue (RAL 9374) □ Green (RAL 9375) □ Yellow (RAL 9376) □ Orange (RAL 9377) □ Red (RAL 9378) □ Purple (RAL 9379) □ Brown (RAL 9380) □ Gold (RAL 9381) □ Copper (RAL 9382) □ Bronze (RAL 9383) □ Silver (RAL 9384) □ Black (RAL 9385) □ White (RAL 9386) □ Grey (RAL 9387) □ Blue (RAL 9388) □ Green (RAL 9389) □ Yellow (RAL 9390) □ Orange (RAL 9391) □ Red (RAL 9392) □ Purple (RAL 9393) □ Brown (RAL 9394) □ Gold (RAL 9395) □ Copper (RAL 9396) □ Bronze (RAL 9397) □ Silver (RAL 9398) □ Black (RAL 9399) □ White (RAL 9400) □ Grey (RAL 9401) □ Blue (RAL 9402) □ Green (RAL 9403) □ Yellow (RAL 9404) □ Orange (RAL 9405) □ Red (RAL 9406) □ Purple (RAL 9407) □ Brown (RAL 9408) □ Gold (RAL 9409) □ Copper (RAL 9410) □ Bronze (RAL 9411) □ Silver (RAL 9412) □ Black (RAL 9413) □ White (RAL 9414) □ Grey (RAL 9415) □ Blue (RAL 9416) □ Green (RAL 9417) □ Yellow (RAL 9418) □ Orange (RAL 9419) □ Red (RAL 9420) □ Purple (RAL 9421) □ Brown (RAL 9422) □ Gold (RAL 9423) □ Copper (RAL 9424) □ Bronze (RAL 9425) □ Silver (RAL 9426) □ Black (RAL 9427) □ White (RAL 9428) □ Grey (RAL 9429) □ Blue (RAL 9430) □ Green (RAL 9431) □ Yellow (RAL 9432) □ Orange (RAL 9433) □ Red (RAL 9434) □ Purple (RAL 9435) □ Brown (RAL 9436) □ Gold (RAL 9437) □ Copper (RAL 9438) □ Bronze (RAL 9439) □ Silver (RAL 9440) □ Black (RAL 9441) □ White (RAL 9442) □ Grey (RAL 9443) □ Blue (RAL 9444) □ Green (RAL 9445) □ Yellow (RAL 9446) □ Orange (RAL 9447) □ Red (RAL 9448) □ Purple (RAL 9449) □ Brown (RAL 9450) □ Gold (RAL 9451) □ Copper (RAL 9452) □ Bronze (RAL 9453) □ Silver (RAL 9454) □ Black (RAL 9455) □ White (RAL 9456) □ Grey (RAL 9457) □ Blue (RAL 9458) □ Green (RAL 9459) □ Yellow (RAL 9460) □ Orange (RAL 9461) □ Red (RAL 9462) □ Purple (RAL 9463) □ Brown (RAL 9464) □ Gold (RAL 9465) □ Copper (RAL 9466) □ Bronze (RAL 9467) □ Silver (RAL 9468) □ Black (RAL 9469) □ White (RAL 9470) □ Grey (RAL 9471) □ Blue (RAL 9472) □ Green (RAL 9473) □ Yellow (RAL 9474) □ Orange (RAL 9475) □ Red (RAL 9476) □ Purple (RAL 9477) □ Brown (RAL 9478) □ Gold (RAL 9479) □ Copper (RAL 9480) □ Bronze (RAL 9481) □ Silver (RAL 9482) □ Black (RAL 9483) □ White (RAL 9484) □ Grey (RAL 9485) □ Blue (RAL 9486) □ Green (RAL 9487) □ Yellow (RAL 9488) □ Orange (RAL 9489) □ Red (RAL 9490) □ Purple (RAL 9491) □ Brown (RAL 9492) □ Gold (RAL 9493) □ Copper (RAL 9494) □ Bronze (RAL 9495) □ Silver (RAL 9496) □ Black (RAL 9497) □ White (RAL 9498) □ Grey (RAL 9499) □ Blue (RAL 9500) □ Green (RAL 9501) □ Yellow (RAL 9502) □ Orange (RAL 9503) □ Red (RAL 9504) □ Purple (RAL 9505) □ Brown (RAL 9506) □ Gold (RAL 9507) □ Copper (RAL 9508) □ Bronze (RAL 9509) □ Silver (RAL 9510) □ Black (RAL 9511) □ White (RAL 9512) □ Grey (RAL 9513) □ Blue (RAL 9514) □ Green (RAL 9515) □ Yellow (RAL 9516) □ Orange (RAL 9517) □ Red (RAL 9518) □ Purple (RAL 9519) □ Brown (RAL 9520) □ Gold (RAL 9521) □ Copper (RAL 9522) □ Bronze (RAL 9523) □ Silver (RAL 9524) □ Black (RAL 9525) □ White (RAL 9526) □ Grey (RAL 9527) □ Blue (RAL 9528) □ Green (RAL 9529) □ Yellow (RAL 9530) □ Orange (RAL 9531) □ Red (RAL 9532) □ Purple (RAL 9533) □ Brown (RAL 9534) □ Gold (RAL 9535) □ Copper (RAL 9536) □ Bronze (RAL 9537) □ Silver (RAL 9538) □ Black (RAL 9539) □ White (RAL 9540) □ Grey (RAL 9541) □ Blue (RAL 9542) □ Green (RAL 9543) □ Yellow (RAL 9544) □ Orange (RAL 9545) □ Red (RAL 9546) □ Purple (RAL 9547) □ Brown (RAL 9548) □ Gold (RAL 9549) □ Copper (RAL 9550) □ Bronze (RAL 9551) □ Silver (RAL 9552) □ Black (RAL 9553) □ White (RAL 9554) □ Grey (RAL 9555) □ Blue (RAL 9556) □ Green (RAL 9557) □ Yellow (RAL 9558) □ Orange (RAL 9559) □ Red (RAL 9560) □ Purple (RAL 9561) □ Brown (RAL 9562) □ Gold (RAL 9563) □ Copper (RAL 9564) □ Bronze (RAL 9565) □ Silver (RAL 9566) □ Black (RAL 9567) □ White (RAL 9568) □ Grey (RAL 9569) □ Blue (RAL 9570) □ Green (RAL 9571) □ Yellow (RAL 9572) □ Orange (RAL 9573) □ Red (RAL 9574) □ Purple (RAL 9575) □ Brown (RAL 9576) □ Gold (RAL 9577) □ Copper (RAL 9578) □ Bronze (RAL 9579) □ Silver (RAL 9580) □ Black (RAL 9581) □ White (RAL 9582) □ Grey (RAL 9583) □ Blue (RAL 9584) □ Green (RAL 9585) □ Yellow (RAL 9586) □ Orange (RAL 9587) □ Red (RAL 9588) □ Purple (RAL 9589) □ Brown (RAL 9590) □ Gold (RAL 9591) □ Copper (RAL 9592) □ Bronze (RAL 9593) □ Silver (RAL 9594) □ Black (RAL 9595) □ White (RAL 9596) □ Grey (RAL 9597) □ Blue (RAL 9598) □ Green (RAL 9599) □ Yellow (RAL 9600) □ Orange (RAL 9601) □ Red (RAL 9602) □ Purple (RAL 9603) □ Brown (RAL 9604) □ Gold (RAL 9605) □ Copper (RAL 9606) □ Bronze (RAL 9607) □ Silver (RAL 9608) □ Black (RAL 9609) □ White (RAL 9610) □ Grey (RAL 9611) □ Blue (RAL 9612) □ Green (RAL 9613) □ Yellow (RAL 9614) □ Orange (RAL 9615) □ Red (RAL 9616) □ Purple (RAL 9617) □ Brown (RAL 9618) □ Gold (RAL 9619) □ Copper (RAL 9620) □ Bronze (RAL 9621) □ Silver (RAL 9622) □ Black (RAL 9623) □ White (RAL 9624) □ Grey (RAL 9625) □ Blue (RAL 9626) □ Green (RAL 9627) □ Yellow (RAL 9628) □ Orange (RAL 9629) □ Red (RAL 9630) □ Purple (RAL 9631) □ Brown (RAL 9632) □ Gold (RAL 9633) □ Copper (RAL 9634) □ Bronze (RAL 9635) □ Silver (RAL 9636) □ Black (RAL 9637) □ White (RAL 9638) □ Grey (RAL 9639) □ Blue (RAL 9640) □ Green (RAL 9641) □ Yellow (RAL 9642) □ Orange (RAL 9643) □ Red (RAL 9644) □ Purple (RAL 9645) □ Brown (RAL 9646) □ Gold (RAL 9647) □ Copper (RAL 9648) □ Bronze (RAL 9649) □ Silver (RAL 9650) □ Black (RAL 9651) □ White (RAL 9652) □ Grey (RAL 9653) □ Blue (RAL 9654) □ Green (RAL 9655) □ Yellow (RAL 9656) □ Orange (RAL 9657) □ Red (RAL 9658) □ Purple (RAL 9659) □ Brown (RAL 9660) □ Gold (RAL 9661) □ Copper (RAL 9662) □ Bronze (RAL 9663) □ Silver (RAL 9664) □ Black (RAL 9665) □ White (RAL 9666) □ Grey (RAL 9667) □ Blue (RAL 9668) □ Green (RAL 9669) □ Yellow (RAL 9670) □ Orange (RAL 9671) □ Red (RAL 9672) □ Purple (RAL 9673) □ Brown (RAL 9674) □ Gold (RAL 9675) □ Copper (RAL 9676) □ Bronze (RAL 9677) □ Silver (RAL 9678) □ Black (RAL 9679) □ White (RAL 9680) □ Grey (RAL 9681) □ Blue (RAL 9682) □ Green (RAL 9683) □ Yellow (RAL 9684) □ Orange (RAL 9685) □ Red (RAL 9686) □ Purple (RAL 9687) □ Brown (RAL 9688) □ Gold (RAL 9689) □ Copper (RAL 9690) □ Bronze (RAL 9691) □ Silver (RAL 9692) □ Black (RAL 9693) □ White (RAL 9694) □ Grey (RAL 9695) □ Blue (RAL 9696) □ Green (RAL 9697) □ Yellow (RAL 9698) □ Orange (RAL 9699) □ Red (RAL 9700) □ Purple (RAL 9701) □ Brown (RAL 9702) □ Gold (RAL 9703) □ Copper (RAL 9704) □ Bronze (RAL 9705) □ Silver (RAL 9706) □ Black (RAL 9707) □ White (RAL 9708) □ Grey (RAL 9709) □ Blue (RAL 9710) □ Green (RAL 9711) □ Yellow (RAL 9712) □ Orange (RAL 9713) □ Red (RAL 9714) □ Purple (RAL 9715) □ Brown (RAL 9716) □ Gold (RAL 9717) □ Copper (RAL 9718) □ Bronze (RAL 9719) □ Silver (RAL 9720) □ Black (RAL 9721) □ White (RAL 9722) □ Grey (RAL 9723) □ Blue (RAL 9724) □ Green (RAL 9725) □ Yellow (RAL 9726) □ Orange (RAL 9727) □ Red (RAL 9728) □ Purple (RAL 9729) □ Brown (RAL 9730) □ Gold (RAL 9731) □ Copper (RAL 9732) □ Bronze (RAL 9733) □ Silver (RAL 9734) □ Black (RAL 9735) □ White (RAL 9736) □ Grey (RAL 9737) □ Blue (RAL 9738) □ Green (RAL 9739) □ Yellow (RAL 9740) □ Orange (RAL 9741) □ Red (RAL 9742) □ Purple (RAL 9743) □ Brown (RAL 9744) □ Gold (RAL 9745) □ Copper (RAL 9746) □ Bronze (RAL 9747) □ Silver (RAL 9748) □ Black (RAL 9749) □ White (RAL 9750) □ Grey (RAL 9751) □ Blue (RAL 9752) □ Green (RAL 9753) □ Yellow (RAL 9754) □ Orange (RAL 9755) □ Red (RAL 9756) □ Purple (RAL 9757) □ Brown (RAL 9758) □ Gold (RAL 9759) □ Copper (RAL 9760) □ Bronze (RAL 9761) □ Silver (RAL 9762) □ Black (RAL 9763) □ White (RAL 9764) □ Grey (RAL 9765) □ Blue (RAL 9766) □ Green (RAL 9767) □ Yellow (RAL 9768) □ Orange (RAL 9769) □ Red (RAL 9770) □ Purple (RAL 9771) □ Brown (RAL 9772) □ Gold (RAL 9773) □ Copper (RAL 9774) □ Bronze (RAL 9775) □ Silver (RAL 9776) □ Black (RAL 9777) □ White (RAL 9778) □ Grey (RAL 9779) □ Blue (RAL 9780) □ Green (RAL 9781) □ Yellow (RAL 9782) □ Orange (RAL 9783) □ Red (RAL 9784) □ Purple (RAL 9785) □ Brown (RAL 9786) □ Gold (RAL 9787) □ Copper (RAL 9788) □ Bronze (RAL 9789) □ Silver (RAL 9790) □ Black (RAL 9791) □ White (RAL 9792) □ Grey (RAL 9793) □ Blue (RAL 9794) □ Green (RAL 9795) □ Yellow (RAL 9796) □ Orange (RAL 9797) □ Red (RAL 9798) □ Purple (RAL 9799) □ Brown (RAL 9800) □ Gold (RAL 9801) □ Copper (RAL 9802) □ Bronze (RAL 9803) □ Silver (RAL 9804) □ Black (RAL 9805) □ White (RAL 9806) □ Grey (RAL 9807) □ Blue (RAL 9808) □ Green (RAL 9809) □ Yellow (RAL 9810) □ Orange (RAL 9811) □ Red (RAL 9812) □ Purple (RAL 9813) □ Brown (RAL 9814) □ Gold (RAL 9815) □ Copper (RAL 9816) □ Bronze (RAL 9817) □ Silver (RAL 9818) □ Black (RAL 9819) □ White (RAL 9820) □ Grey (RAL 9821) □ Blue (RAL 9822) □ Green (RAL 9823) □ Yellow (RAL 9824) □ Orange (RAL 9825) □ Red (RAL 9826) □ Purple (RAL 9827) □ Brown (RAL 9828) □ Gold (RAL 9829) □ Copper (RAL 9830) □ Bronze (RAL 9831) □ Silver (RAL 9832) □ Black (RAL 9833) □ White (RAL 9834) □ Grey (RAL 9835) □ Blue (RAL 9836) □ Green (RAL 9837) □ Yellow (RAL 9838) □ Orange (RAL 9839) □ Red (RAL 9840) □ Purple (RAL 9841) □ Brown (RAL 9842) □ Gold (RAL 9843) □ Copper (RAL 9844) □ Bronze (RAL 9845) □ Silver (RAL 9846) □ Black (RAL 9847) □ White (RAL 9848) □ Grey (RAL 9849) □ Blue (RAL 9850) □ Green (RAL 9851) □ Yellow (RAL 9852) □ Orange (RAL 9853) □ Red (RAL 9854) □ Purple (RAL 9855) □ Brown (RAL 9856) □ Gold (RAL 9857) □ Copper (RAL 9858) □ Bronze (RAL 9859) □ Silver (RAL 9860) □ Black (RAL 9861) □ White (RAL 9862) □ Grey (RAL 9863) □ Blue (RAL 9864) □ Green (RAL 9865) □ Yellow (RAL 9866) □ Orange (RAL 9867) □ Red (RAL 9868) □ Purple (RAL 9869) □ Brown (RAL 9870) □ Gold (RAL 9871) □ Copper (RAL 9872) □ Bronze (RAL 9873) □ Silver (RAL 9874) □ Black (RAL 9875) □ White (RAL 9876) □ Grey (RAL 9877) □ Blue (RAL 9878) □ Green (RAL 9879) □ Yellow (RAL 9880) □ Orange 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MEMORANDUM

Planning Division

DATE: January 20th, 2023

TO: Planning Board

FROM: Brooks Cowan, Senior Planner

Approved: Nick Dupuis, Planning Director

SUBJECT: 34350 Woodward & 909-911 Haynes Street - Fred Lavery Porsche – SLUP Amendment and Final Site Plan and Design Review

The applicant is proposing to demolish both buildings at 34350 Woodward Ave and 909-911 Haynes Street and construct a three story auto sales agency spanning across both properties. Both parcels are zoned B-2, General Business. 34350 Woodward is zoned MU-7 in the Triangle Overlay District while 909-911 Haynes Street is zoned MU-5. Auto sales agencies require a Special Land Use Permit (SLUP) to operate in the B2 District as well as the MU-5 and MU-7 Districts. The applicant originally received a Special Land Use Permit in 2010 to operate a Porsche car dealership at 34350 Woodward Ave. Upon approval, the applicant will also be required to apply for a lot combination with the City Commission. The lot combination hearing with City Commission shall be held after the SLUP hearing.

In 2016, the applicant received a temporary SLUP amendment to use the building next door at 909-911 Haynes as an office for the Porsche sales and management team for one year while renovations were made to the Porsche dealership at 34350 Woodward Ave. Conditions of approval were that the applicant could not have cars for sale parked on 909-911 Haynes Street.

In [January 2020](#), the applicant appeared before the Planning Board for Final Site Plan review and SLUP amendment to demolish the building at 909-911 Haynes Street and expand the Porsche dealership's parking lot. After discussions regarding how the Triangle District Overlay requires expanding uses to bring the entire site into conformity, and that the Triangle District Urban Design Plan's Worth Street Extension is recommended to pass through the subject property, the owner withdrew their application.

In January, March, and April of 2021, the applicant appeared before City Commission to apply for a lot combination. It was determined that expanding the use through a lot combination meant that the site would not satisfy the requirements of the Zoning Ordinance, and therefore would not satisfy the requirements for a lot combination. It was recommended that the applicant appear

before the Planning Board and obtain Final Site Plan and SLUP approval before obtaining a lot combination. **City staff recommends that the Planning Board review the City Commission Memos from [January 25th, 2021](#), [March 22nd, 2021](#), and [April 26th, 2021](#) regarding the lot combination of the subject site and recommendations of the Triangle District Urban Design Plan.**

On [October 26th, 2022](#), the applicant appeared before the Planning Board for a Community Impact Study and Preliminary Site Plan Review. Upon review the Planning Board moved to accept the CIS with the following conditions:

1. The applicant resolve all issues related to the Transportation Impact Study as requested by the City's traffic consultants;
2. The applicant obtain site plan review and recommendation from the Multi-Modal Transportation Board (MMTB) related to vehicular and pedestrian traffic safety features for the intersection of Haynes Street, Elm Street, and Woodward Ave;
3. The applicant provide the Planning Department with copies of any existing due care plans, plans developed in connection with the construction of the project, information about the existence of any vapors during the process of construction, and plans for remediation of any hazardous vapors identified; and,
4. The applicant comply with all requests from City Departments.

The Planning Board also moved to recommend the Preliminary Site Plan with the following conditions:

1. The applicant obtain site plan review and recommendation from the MMTB related to vehicular and pedestrian traffic safety features for the intersection of Haynes Street, Elm Street, and Woodward Ave;
2. The applicant provide sidewalks along Elm Street, Woodward Ave, and Haynes Street that are a minimum of 12 feet wide;
3. The applicant comply with all department requests.

On [December 1st, 2022](#), the applicant appeared before the Multi-Modal Transportation Board to review recommendations of the Triangle District Plan's concepts for the intersection of Elm Street, Haynes Street, and Woodward Avenue. The Multi-Modal Transportation Board moved to recommend option C2 which is reducing Elm Street to one-way southbound between Bowers Street and Haynes Street. (Minutes are attached).

The applicant has addressed some of the recommendations of staff regarding Elm Street, while also providing a concept of their preferred Elm Street alignment with the updated Final Site Plan and SLUP review.

1.0 Land Use & Zoning

- 1.1 **Existing Land Use** – The existing land use is commercial with two buildings, one an auto sales agency and the other a two story office-retail use
- 1.2 **Zoning** – The subject site exists within the B2 (General Business), MU-5 (Mixed-Use 5), and MU-7 (Mixed-Use 7) Zoning Districts.
- 1.3 **Summary of Adjacent Land Use & Zoning** – The following chart summarizes existing land use and zoning classifications of the adjacent and/or nearby properties:

	North	South	East	West
Existing Land Use	Commercial/ Office	Commercial/ Office	Commercial/ Office	Commercial
Existing Zoning District	B2 (General Business)	B2 (General Business)	B2 (General Business) & O2 (Office-Commercial)	B2 (General Business)
Overlay Zoning District	MU-3 & MU-5	MU3 & MU-5	N/A	MU-5 & MU-7

2.0 Setback, Bulk, & 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 satisfy the bulk, area and placement requirements of the Triangle District with particular clarifications noted below.

Article 3, Sections 3.08(C) & 3.08(D) of the Triangle District Overlay requires building facades in the MU-5 and MU-7 Districts to be built within 0-5 feet of the front lot line for a minimum of 75% of the street frontage length which the applicant appears to satisfy. Furthermore, Article 3.08(F) allows frontyard building setback exceptions when additional sidewalk and landscaping enhancements have been provided which is the case for the proposed showroom entrance at the corner of Elm, Woodward Ave, and Haynes.

It is also of note that the Triangle District Overlay does not regulate the size of the third floor. Article 3, Sections 3.08(C) & 3.08(D) for the MU-5 and MU-7 Districts only require three floors as a minimum. The third floor is proposed to be 1,660 square feet. Obtaining a lot combination will bring both parcels into conformity.

3.0 Screening & Landscaping

- 3.1 **Dumpster Screening** – The dumpster is proposed to be located in the northeast corner of the property. The eastern elevation indicates the dumpster will consist of masonry and with a 6' minimum height, which is also concealed by the Haynes Street Façade.

- 3.2 Parking Lot Screening – Article 4, Section 4.54 (C) of the Zoning Ordinance requires screening to be placed along the front or side of any parking facility that abuts a street, alley, passage or mixed passage. The site plan indicates 7 ground level parking spaces accessible from Haynes Street. The ground level parking spaces are screened by the building's two-story metal façade along Haynes Street as indicated in the eastern elevation design.

The applicant has provided black metal louvers for the upper level parking facility in order prevent large blank walls from facing Haynes Street. The black metal louvers also provide adequate screening for the upper level parking.

- 3.3 Mechanical Equipment Screening – The site plan indicates rooftop and ground-mounted mechanical units that will require screening. The level 3 floor plan indicates five mechanical rooftop units screened by a black corrugated metal panel screen wall that is 5 feet in height and will match the building façade. The proposed rooftop mechanical units are 39 inches in height and therefore are completely concealed by the screenwall. The ground level transformer on the northeast corner of the building is screened by the building's façade along Haynes Street.

- 3.4 Landscaping – The applicant is proposing additional landscaping at the entrance of the building on the corner of Haynes, Woodward, and Elm. Article 4, Section 4.20(E) of the Zoning Ordinance does not require the applicant to provide landscaping on-site due to its location in a commercial zoning district. **The applicant must provide details regarding the species of landscaping proposed for the entrance to ensure that no prohibited species are being used.**

Streetscape Elements – The applicant has provided a number of street trees, street lights, and streetscape furnishings. In terms of street trees, Article 4, Section 4.20 (G) requires at least 1 street tree for each 40 linear feet of frontage along a street. The site plan indicates a total of 11 street trees which satisfies the ordinance requirements. A breakdown of the required and proposed street trees is provided below:

Street	Linear Frontage (ft.)	Required	Provided
Haynes	313'	8	8
Elm	89'	2	3
Woodward	25'	N/A	0
Total			11

The site plan indicates a total of 13 street lights which appear to be adequately spaces approximately 40 feet apart. All streetlights proposed are expected to meet the streetscape standards for the Triangle District.

In regards to streetscape furnishings, the applicant has proposed 3 benches, 3 trash receptacles, and 5 bike racks along Haynes Street. All benches, bike racks,

and trash receptacles are expected to meet the streetscape standards of the Triangle District.

To support an all electric fleet, the applicant is also providing two electric car charging kiosks for the public along Haynes Street on the eastern portion of the property.

Section 3, Article 3.12(B) requires sidewalks in the Triangle Overlay District to be a minimum of 12 feet wide. The sidewalk surrounding the building appears to be 12 feet along Haynes and Elm Street.

The northwest corner of the property has a congested sidewalk space transitioning from the subject site to the northern property on Elm Street. There is an electrical pole in the middle of the sidewalk and a city streetlight directly south of it which impedes pedestrian passage.

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
Sales Room	1 per 300 SF	6,800 SF	23
Office	1 per 300 SF	8,460 SF	4
Service Stalls	1 per Stall	12 Stalls	12
Other (Storage)	1 per 550 SF	4,269 SF	8
Total Required	-	-	47
Total Proposed	-	-	155

Article 4, Section 4.46(A) Table A Parking Standards of the Zoning Ordinance requires motor vehicle sales and service establishments to provide 1 space for each 300 square feet of floor area of sales room plus 1 space per each auto service stall, not to be used for new or used car storage.

The first floor sales room is 6,800 square feet, while the cumulative office space on floors one, two, and three is 8,460 square feet. There are 12 service stalls and 4,269 square feet of storage which is classified as “other” for parking. The applicant is required to provide 47 parking spaces on-site for the proposed uses.

The applicant is providing a total of 155 parking spaces that consist of 7 ground level surface parking spaces, 10 interior building service parking spaces on the first floor, 62 parking spaces on the second level parking facility, 64 parking spaces on the third floor, and 12 public on-street parking spaces. City staff did not count showroom spaces as open and accessible. The applicant satisfies the parking requirements.

Article 3, Section 3.08(G)(1)(b) of the Zoning Ordinance permits no more than 60 feet of parking lot frontage for corner lots. Given that all parking spaces are within the building façade, the applicant appears to satisfy this requirement.

Article 3, Section 3.08(G)(4) of the Zoning Ordinance enables the Planning Board to allow a multi-level parking facility above the first floor to occupy the frontage provided that the façade of the parking structure is integrally designed with the architecture of the overall building, utilizes the same building materials, and has wall openings that provide proportions and rhythm that are compatible with building upper story fenestration. The applicant has proposed a series of black metal louvers for the upper level parking facility that appears to be integrally designed with the architecture of the overall building.

- 4.2 Loading – Based on the habitable commercial space within the proposed development, the applicant is required to provide two off-street loading space with the following minimum dimensions: 40 feet long, 12 feet wide and 14 feet high. Article 4, Section 4.24(C)(4) requires that loading spaces be screened. The loading spaces are located within the interior elevations of the building and are screened by the front façade and garage door.

- 4.3 Vehicle Circulation & Access – The site plans indicate that the main vehicular access to the site will be from Hanyes Street on the east side of the property. The access drive is 24 feet wide and is regulated by a black anodized aluminum and glass overhead door. Vehicles may enter at the ground level parking lot and take the ramp to the second or third floor parking structure facility. The curb cut along Haynes Street also provides access to the ground level service shop.

Article 3, Section 3.09(A)(4) of the Zoning Ordinance does not allow garage doors on the front façade, however Architectural exemptions are available through the provisions of Article 3, Section 3.11 of the Zoning Ordinance. The Planning Board may wish to discuss the presence of an overhead door regulating access to on-site parking.

In regards to on-site vehicular circulation, the site plans indicate that employee parking will be on a portion of the the third level parking facility. A large portion of the second and third level parking facility will be used for vehicle inventory.

A second curb cut for vehicular ingress and egress is proposed on the northwest corner of the building facing Elm Street. The proposed curb cut will provide access to the interior of the building for the service shop. Access to the service area is also regulated by a black anodized and glass overhead door. A concern of City staff is that the proposed curb cut for vehicular ingress and egress is facing a pedestrian crosswalk connecting across Elm Street and Woodward Ave.

As discussed during the CIS & Preliminary Site Plan Review, the Triangle District Plan calls out the intersection of Elm Street, Bowers Street, and Woodward Ave as

an area unsafe for pedestrians and vehicle, and therefore recommends three different option for restructuring Elm Street.

On December 1st, 2022, the Multi-Modal Transportation Board (MMTB) reviewed the Triangle District Plan's recommendations for Elm Street in relation the applicant's proposed project. Upon discussion of the project and the three different options for Elm Street, the MMTB recommended option C2 which includes a bump out that cuts off Haynes Street from Elm Street and reduces Elm Street to one-way southbound. Option C2 also eliminates the right-turn action from northbound Woodward Ave onto Elm Street. The MMTB provided some commentary on the timeline of the project, however as an advisory board, that is not within their purview.

The applicant has provided two different concepts for updating the vehicular and pedetrian access to the intersection of Haynes Street, Elm Street, and Woodward Ave. One concept is option C2 from the Triangle District Plan as recommended by the MMTB. The other concept incorporates recommendations of option C1 of the Triangle District Plan where Elm Street remains a two-way street. The extended bumpout of option C1 would require northbound cars on Woodward Ave to slow down to complete the right turn onto northbound Elm Street.

It is also of note that City staff discussed the proposal of enhancing the intersection of Haynes Street, Elm Street, and Woodward Ave with MDOT. The representatives were in support of enhancing the intersection and indicated pulling a permit for review should only take 4-6 weeks.

The Planning Division requests that the Planning Board recommend a preference for the Triangle District Plan's recommendations for Elm Street in relation to the proposed project and provide direction for the applicant regarding options C1 or C2 with Elm Street being a one way or two way street.

- 4.4 Pedestrian Circulation & Access – The main pedestrian access to the building is at the corner of Elm Street, Woodward Ave, and Haynes Street which leads into the Porsche showroom. There are four additional pedestrian entrances to the site facing Haynes Street, and one facing Elm Street.

The updated site plan maintains a 12 foot sidewalk surrounding the entire frontage of the property. A concern of City staff is that there is an electrical pole in the sidewalk to the right of the proposed garage facing Elm Street. The Engineering Department comments from Preliminary Site Plan included requiring the applicant to move the electrical pole in the middle of the sidewalk. This concern has not been addressed in the updated site plans. **Therefore the applicant must provide updated site plans and surveys addressing concerns related to the electrical pole in the sidewalk on the northwest corner of the property.**

As previously mentioned, a concern of City staff is that there is a pedestrian crosswalk in the Elm Street location where the applicant is proposing a curb cut for a garage to the service area. Options C1 & C2 of the Triangle District Plan attempt to address issues of the vehicular speeds and pedestrian crossings at this intersection. The Planning Division recommends that the Planning Board discuss their preference of options for Elm Street in order to enhance the pedestrian safety of crossing Elm Street near Woodward Ave.

5.0 Lighting

The applicant is proposing twelve exterior light fixtures. Eight lights are proposed to face the street frontage of Elm and Haynes Street, two exterior lights will face the eastern parking lot, and one exterior light is proposed in the exterior. The exterior light fixtures pictured on the elevations labeled AS-1 appear to be cut-off fixtures and are labeled as Bega exterior lighting fixtures, however the plans do not appear to provide a detailed specification sheet regarding the type of light fixture. Information such as the watts and lumens have been provided though. **The applicant must provide staff specifications of the exterior lights to verify they are cut off fixtures.**

The applicant has also provided a detailed photometric plan of the site. The lumens do not exceed 1.5 foot candles at any property line. **City staff request that the applicant update the photometric plan to provide a table showing the range of lumen values for the parking circulation area on the east side of the building to verify the lighting requirements for parking lot circulation areas have been met.**

6.0 Departmental Reports

1. **Engineering Division** – Comments from the Engineering Division will be provided by the Planning Board meeting of January 25th, 2023.
2. **Department of Public Services** – Comments from DPS will be provided by the Planning Board meeting of January 25th, 2023.
3. **Fire Department** – Please see the attached Fire Department comments.
4. **Police Department** – The Police Department have no concerns and think either option for Elm Street is better than what currently exists.
5. **Building Division** – Please see the attached Building Department comments.
6. **Parking Manager** – The Parking Manager has no concerns at this time.

7.0 Design Review

The proposed building has frontage along Elm Street and Haynes Street where the first floor façade predominantly consists of glazing. The showroom entrance has a metallic design above that appears to be modeled after the Porsche 911 rear window louvers. The curved architectural reveals will be illuminated by red lighting. The Western elevation has a large "PORSCHE" sign in red with silver metal composite spanning most of the façade above the first floor glazing.

The southern elevation has a long stretch of glazing for the first floor parts and storage rooms facing Haynes Street. Levels two and three consist of ribbed metal with metal louvers where the multi-level parking facility is. As previously mentioned, Article 3, Section 3.08(G)(4) of the Zoning Ordinance enables the Planning Board to allow a multi-level parking facility above the first floor to occupy the frontage provided that the façade of the parking structure is integrally designed with the architecture of the overall building, utilizes the same building materials, and has wall openings that provide proportions and rhythm that are compatible with building upper story fenestration.

A portion of the first floor on the eastern elevation is exposed where the parking and charging kiosks are located. Behind the parking spaces are glass overhead doors for service station entry and access to the upper level parking facility. Levels two and three are exposed parking facility space with metal louvers and guard rail posts.

The northern elevation consists of architectural ribbed metal metal louvers and guard rail posts for the multi-level parking facility. There are no windows facing north along the 0' lot line.

In regards to ground floor glazing, the first floor of the Haynes Street elevation has a glazing percentage of 86.7% and the first floor of Elm street has a glazing percentage of 87.2%. Both street facing elevations satisfy the glazing requirement of 70% minimum between 1-8 feet from ground level. The applicant must provide staff with glass specification sheets to verify that the glazing meets the requirements of 66% visual light transmittance and reflectivity of 15% or less.

In regards to Article 3, Section 3.09 *Commercial/Mixed Use Architectural Requirements* of the Triangle District Overlay, there are a few issues with the proposed design. Article 3, Section 3.09(D)(1) requires that all walls exposed to public view or parking area shall be constructed of not less than 60% brick, stone, or glass. The proposed building does not satisfy the building material requirements of the Triangle District Overlay given that the exterior is predominantly metal.

Article 3, Section 3.09(B)(2) requires the front entranceway to be inset 3 feet from the front building wall. The curving front entranceway of the Porsche dealership does not appear to satisfy this requirement though.

It is also of note that the applicant is proposing two overhead doors on their front façade, one facing Elm Street and another facing Haynes Street. The garage doors consist of black

anodized aluminum and glass. However, Article 3, Section 3.09(A)(4) states that garage doors shall not be permitted on a front façade.

Article 3, Section 3.11 of the Triangle District Overlay requirements enables the Planning Board to approve deviations to the architectural requirements of Section 3.09 in order to allow for creativity and flexibility in design with the following standards:

The Planning Board may approve deviations to the architectural requirements of Section 3.09 and Section 3.10 in order to allow for creativity and flexibility in design. A front elevation drawing of the proposed building shall be provided superimposed on a color drawing or photograph of the entire block showing the relation of the proposed building design to other buildings along the block, which shall be utilized to evaluate the proposed building design based upon all of the following criteria:

- A. Demonstrates innovation in architectural design, provided the building design shall be in keeping with the desired character of the Triangle Overlay District, as articulated in the Triangle District Urban Design Plan.
- B. The building is oriented towards the front sidewalk with a functioning entrance and enhances the continuity of the pedestrian oriented environment. A modification shall not result in an increased dominance of vehicular parking or garage doors along the front of the building.
- C. The roof design shall not be out of character with other buildings along the block and shall be within the minimum and maximum height requirements of the district.
- D. The exterior finish materials shall be of equal or better quality and durability as those permitted herein, with the intent to allow for new technologies in building material while maintaining the desired character of the Triangle Overlay District.
- E. Ground floor windows shall be provided along the front sidewalk to maintain the pedestrian orientation of the streetscape and upper story windows shall not be incompatible with the rhythm and proportions of windows on other buildings along the block.

The Planning Division recommends that the Planning Board approve deviations to the architectural requirements of Section 3.09(D)(1), Section 3.09(B)(2), and Section 3.09(A)(4) to enable the applicant creativity and flexibility in design for a metal exterior, a non-inset front door, and a garage door on the front façade with the condition that the applicant provide a front elevation drawing of the proposed building superimposed on a color drawing or photograph of the entire block showing the relation of the proposed building design to other buildings along the block.

Signage

The Elm Street elevation has a red Porsche backlit sign 102 SF in dimension. The curved entryway at the corner of Elm and Haynes Street has two pylon ground signs that are both 24 SF in dimension. The Haynes Street elevation has a sign reading "Fred Lavery" 24 SF in dimension. The total signage square footage is 174 SF, which is less than the nearly 500 feet of total street frontage of the property.

8.0 Required Attachments

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

9.0 Approval Criteria

In accordance with Article 7, section 7.27 of the Zoning Ordinance, the proposed plans for development must meet the following conditions:

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

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.

- (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.
- (3) The use is consistent with the public health, safety and welfare of the city.
- (4) The use is in compliance with all other requirements of this Zoning Ordinance.
- (5) The use will not be injurious to the surrounding neighborhood.
- (6) The use is in compliance with state and federal statutes.

10.0 Recommendation

Based on a review of the site plans submitted, the requirements outlined in Article 7, Section 7.27 of the Zoning Ordinance, and the SLUP requirements of Article 7, Section 7.36, the Planning Division recommends that the Planning Board recommend **APPROVAL** of the SLUP and Final Site Plan for 34350 Woodward Ave & 909-911 Haynes Street with the following conditions:

1. The applicant must provide details regarding the species of landscaping proposed for the entrance to ensure that no prohibited species are being used;
2. The applicant provide option (C1 or C2) as indicated in the submitted proposals of the Triangle District Plan's recommendations for Elm Street to be included in the site plan and proposed survey before the public hearing with City Commission;
3. the applicant provide updated site plans and surveys addressing concerns related to the electrical pole in the sidewalk on the northwest corner of the property;
4. The applicant provide updating lighting information regarding the light fixture specifications and the parking lot circulation area lumen values;
5. The Planning Board approve deviations to the architectural requirements of of Section 3.09(D)(1), Section 3.09(B)(2), and Section 3.09(A)(4) to enable the applicant creativity and flexibility in design for a metal exterior, a non-inset front door, and a garage door on the front façade with the condition that the applicant provide a front elevation drawing of the proposed building superimposed on a color drawing or photograph of the entire block showing the relation of the proposed building design to other buildings along the block; and
6. The applicant comply with all department requests.

11.0 Sample Motion Language

Motion to recommend **APPROVAL** to the City Commission of the Special Land Use Permit for 34350 Woodward Ave & 909-911 Haynes Street with the following conditions:

1. The applicant must provide details regarding the species of landscaping proposed for the entrance to ensure that no prohibited species are being used;
2. The applicant provide option (C1 or C2) as indicated in the submitted proposals of the Triangle District Plan's recommendations for Elm Street to be included in the site plan and proposed survey before the public hearing with City Commission;
3. the applicant provide updated site plans and surveys addressing concerns related to the electrical pole in the sidewalk on the northwest corner of the property;
4. The applicant provide updating lighting information regarding the light fixture specifications and the parking lot circulation area lumen values;
5. The Planning Board approve deviations to the architectural requirements of of Section 3.09(D)(1), Section 3.09(B)(2), and Section 3.09(A)(4) to enable the applicant creativity and flexibility in design for a metal exterior, a non-inset front door, and a garage door on the front façade with the condition that the applicant provide a front elevation drawing of the proposed building superimposed on a color drawing or photograph of the entire block showing the relation of the proposed building design to other buildings along the block; and
6. The applicant comply with all department requests.

OR

Motion to **POSTPONE** the Special Land Use Permit for 34350 Woodward Ave & 909-911 Haynes Street pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to recommend **DENIAL** to the City Commission of the Special Land Use Permit for 34350 Woodward Ave & 909-911 Haynes for the following reasons:

1. _____
2. _____
3. _____

Motion to recommend **APPROVAL** to the City Commission of the Final Site Plan and Design Review for 34350 Woodward Ave & 909-911 Haynes Street with the following conditions:

7. The applicant must provide details regarding the species of landscaping proposed for the entrance to ensure that no prohibited species are being used;
8. The applicant provide option (C1 or C2) as indicated in the submitted proposals of the Triangle District Plan's recommendations for Elm Street to be included in the site plan and proposed survey before the public hearing with City Commission;
9. the applicant provide updated site plans and surveys addressing concerns related to the electrical pole in the sidewalk on the northwest corner of the property;
10. The applicant provide updating lighting information regarding the light fixture specifications and the parking lot circulation area lumen values;
11. The Planning Board approve deviations to the architectural requirements of of Section 3.09(D)(1), Section 3.09(B)(2), and Section 3.09(A)(4) to enable the applicant creativity and flexibility in design for a metal exterior, a non-inset front door, and a garage door on the front façade with the condition that the applicant provide a front elevation drawing of the proposed building superimposed on a color drawing or photograph of the entire block showing the relation of the proposed building design to other buildings along the block; and
12. The applicant comply with all department requests.

OR

Motion to **POSTPONE** the Final Site Plan and Design Review for 34350 Woodward Ave & 909-911 Haynes Street pending receipt of the following:

4. _____
5. _____
6. _____

OR

Motion to recommend **DENIAL** to the City Commission of the Final Site Plan and Design Review for 34350 Woodward Ave & 909-911 Haynes for the following reasons:

4. _____
5. _____
6. _____

**Zoning Compliance Summary Sheet
SLUP and Final Site Plan Review
34350 Woodward Ave & 909-911 Haynes**

Existing Site: 1 story auto sales agency & 2 story commercial building

Zoning: B2 (General Business) & MU-5/MU-7 (Triangle District Overlay)

Land Use: Retail/Office/ Auto Sales Agency

Existing Land Use and Zoning of Adjacent Properties:

	North	South	East	West
Existing Land Use	Commercial/ Office	Commercial/ Retail	Commercial/ Office	Commercial
Existing Zoning District	B2 (General Business)	B2 (General Business)	B2 (General Business) & O2 (Office-Commercial)	B2 (General Business)
Overlay Zoning District	MU3	MU-7 & MU-5	MU-5	MU3

Land Area: Existing: 42,875 SF
Proposed: 42,875 SF

Dwelling Units: Existing: 0 units
Proposed: 0 units

Minimum Lot Area/Unit: Required: N/A
Proposed: N/A

Min. Floor Area /Unit: Required: N/A
Proposed: N/A

Max. Total Floor Area: Required: N/A
Proposed: N/A

Min. Open Space: Required: N/A
Proposed: N/A

Max. Lot Coverage: Required: N/A

	Proposed:	N/A
Front Setback:	Required:	0-5 ft. for a minimum of 75% of the street frontage length
	Proposed:	Within 0-5 feet of the front lot line for greater than 75% of the street frontage length.
Side Setbacks	Required:	0 ft. with walls facing side lot line w/ no windows 10 ft. for walls with windows
	Proposed:	0 ft.
Rear Setback:	Required:	N/A
	Proposed:	N/A
Max. Bldg. Height:	Permitted:	66 ft., 5 stories (MU-5) 90 ft., 7 stories (MU-7)
	Proposed:	45 ft., 3 stories
Min. Bldg. Height:	Permitted:	34 ft., 3 stories (MU-5) 34 ft., 3 stories (MU-7)
	Proposed:	45 ft., 3 stories
Floor-Floor Height:	Required:	14 ft. minimum (1 st story)
	Proposed:	14 ft
Front Entry:	Required:	On frontage line
	Proposed:	On frontage line
Absence of Bldg. Façade:	Required:	N/A
	Proposed:	N/A
Opening Width:	Required:	N/A
	Proposed:	N/A
Parking:	Required:	35 off-street spaces
	Proposed:	47 off-street spaces available to workers and patrons 160 total on-site: accessible + inventory
Min. Parking Space Size:	Required:	180 sq. ft.
	Proposed:	180 sq. ft.
Parking in Frontage:	Required:	N/A
	Proposed:	N/A
Loading Area:	Required:	2 off-street loading space 40 ft. x 12 ft. x 14 ft.

Screening:

Proposed: 2 off-street loading space
40 ft. x 12 ft. x 14 ft.

Parking: Required: 6 ft. masonry screen wall
Proposed: Screened by building facade

Loading: Required: Screened from view
Proposed: Interior loading area screened by building

Rooftop Mechanical: Required: Screened from view
Proposed: 5 ft. screen wall

Elect. Transformer: Required: Obscured from public view
Proposed: Screened by building facade

Dumpster: Required: Masonry screen wall with wood gates
Proposed: Screened by building façade and masonry screen wall



CITY OF BIRMINGHAM FIRE DEPARTMENT

572 SOUTH ADAMS • BIRMINGHAM, MICHIGAN 48009 • 248.530.1900 FAX 248.530.1950

January 19th, 2023

RE: Final Site Plan Review Comments
34350 Woodward, Fred Lavery

- Follow International Fire Code 2015 for submitted plans.
- Sec. 54-32. - Emergency Power Shutdown Device
All commercial and residential structures/buildings constructed or having major renovations performed after the implementation of this ordinance shall provide a KNOX-VAULT 4500 Series Power Shutdown device, and installed as approved by the Fire Marshal, located on the exterior of the building. All required power shut down devices shall be installed and maintained at the building owner's expense. All required power shut down devices shall be installed by a qualified, licensed electrician.
- Knox Pad Locks required on construction fencing access gates
- Follow Chapter 33 of IFC 2015 edition "Fire Safety During Construction and Demolition"
- A Knox Box will be required
- Sprinkler System and Alarm Plans-Submit plans to AHJ for review and approval .
- CO Gas detection system and ventilation for parking garages as needed.
- FDC – facing the street within 100 feet of a Fire Hydrant.
- Construction phase of the project install a standpipe system with access to all floors
- Bi-Directional amplifier may be required. First responder radio signal strength will be assessed toward the end of the construction phase.
- All life safety requirements listed in International Fire Code and NFPA documents and standards shall be followed and enforced.

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

January 19, 2023

RE: Final Site Plan Review Comments
34350 Woodward, Fred Lavery

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

Applicable Building Codes:

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

Review Comments: (These comments remain from our initial review)

1. Exterior doors shall not open or project into the public right of way (Building Code Section 3202.2)
2. The proposed building is setback 0-feet from the north and east property lines. These walls will need to have a fire resistive rating in accordance with Table 601 of the MBC. Table 705.8 of the Building Code will not permit the proposed openings on the first floor and all parking levels.
3. The rooftop parking level will require access to two remote exit stairways (Building Code Section 406.5.7).

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

4. The N/E exit stair will need to be enclosed with fire barriers in accordance with Chapter 10 of the Building Code and comply with item 3 above.
5. The office/storage area on level 3 has access to only 1 exit stair. Access to two exits is required in accordance with Section 1006 of the Building Code.
6. The exit stairs on level 2 in the office area are not remotely separated as required by Section 1007.1.1 of the Building Code.

Circulation

To supplement the streetscape and walkability improvements, there are a number of roadway improvements recommended through the Triangle District. Some will enhance traffic operations and safety, while others are intended to make the district more walkable.

Maple Road (A). Maple Road between Woodward and Adams should be converted from two lanes in each direction to an imbalanced roadway configuration, for example with two westbound lanes, one eastbound lane and a center turn lane, as depicted in A1. This configuration would improve access into the Triangle along Elm Street and to the businesses along Maple without widening. Additionally, intersection improvements should be made at Elm and Maple to better emphasize this entrance to the Triangle District.

Hazel Street (B). The segment of Hazel between Woodward and Elm could be closed to minimize the number of access points along Woodward Avenue and minimize cut-through traffic in the residential neighborhood. The new space could be used as open space or could be conferred to a property owner or developer in a beneficial exchange.

Woodward/Elm (C). There are a number of options for the short block of Elm Street between Bowers and Woodward Avenue (C). Because of the slight angle from Woodward Avenue, traffic on Woodward Avenue tends to enter Elm at high speeds. In addition, the intersection with Bowers has limited sight distance because of building placements and a narrow right-of-way. The intersection of Elm at Woodward should be reconfigured to require traffic entering the District at Elm to make a right turning movement rather than merely veering right (C1). This would slow traffic and improve safety for pedestrians and motorists. Additionally, this portion of Elm south of Bowers could be converted to southbound traffic only with the former northbound lanes converted to angled street parking (C2). Alternatively, this segment could be vacated altogether and used as open space or developable land for an adjacent parcel (C3).

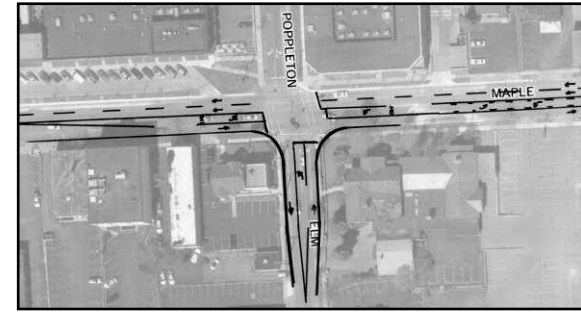


Woodward/Worth (D). The intersection of Worth Street at Woodward Avenue shares many of the same problems as Bowers discussed above. It is recommended that this intersection be reconfigured to form a right angle, greatly slowing traffic and creating the opportunity in the vacated right-of-way for a small greenspace with public art, landscaping, and wayfinding signs.

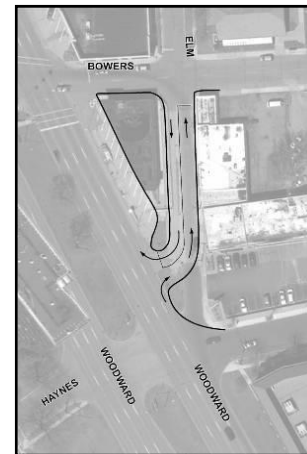
Worth Street (E). Currently Worth Street ends at Haynes Street. This prevents circulation between the Triangle District's northern and southern halves. Worth should be realigned parallel to Woodward Avenue and extended to Bowers. This will improve north/south interior connectivity within the Triangle District and better link the north and south halves of the District, which will help support redevelopment of this area. This road reconfiguration will also allow the creation of Worth Plaza in the heart of the Triangle District. The alignment of Worth Street will be through the rear of the Boarder's parking lot and buildings currently located between Bowers and Haynes. Therefore Worth Street realignment will need to be done in conjunction with the development of a parking structure and redevelopment of the properties on the north side of Haynes. The specific alignment shown on this plan is conceptual and could be varied, provided the ultimate alignment created Worth Plaza.

Bowers Street (F). Bowers Street should also be emphasized as an east/west connector corridor that connects the residential areas east of Adams to the Triangle District and Downtown.

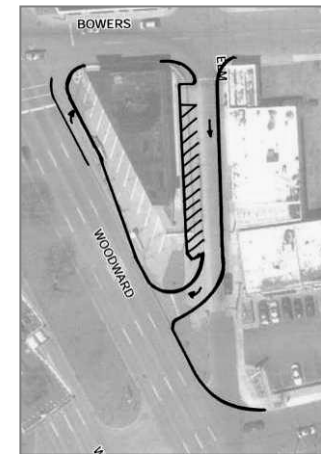
Additional traffic modeling and detailed geometric designs will need to be evaluated further by the City's traffic engineer prior to implementing these recommendations.



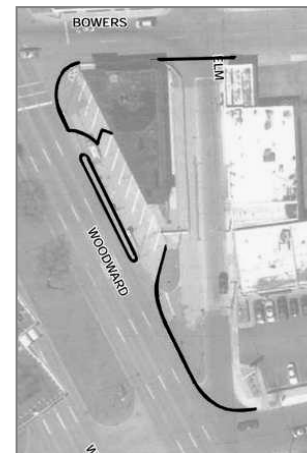
Maple Road (A1)



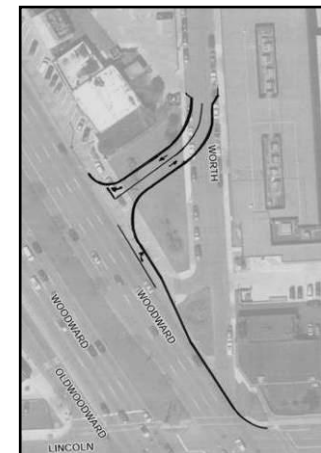
Woodward/Elm (C1)



Woodward/Elm (C2)



Woodward/Elm (C3)



Woodward/Worth (D1)



MEMORANDUM

Planning Division

DATE: December 12, 2023

TO: Jana Ecker, City Manager

FROM: Brooks Cowan, Senior Planner

APPROVED: Nicholas Dupuis, Planning Director

SUBJECT: Set a public hearing for a lot combination of 34350 Woodward Avenue and 909-911 Haynes Street, Fred Lavery Porsche, Parcel # 19-36-281-022 and Parcel # 19-36-281-030.

INTRODUCTION:

The owner of 34350 Woodward Avenue and 909-911 Haynes Street is seeking approval for a lot combination of two parcels in order to accommodate a new building for the Fred Lavery Porsche Dealership.

BACKGROUND:

The subject properties are located on the northeast corner of the intersection at Haynes Street, Elm Street, and Woodward Avenue. The Fred Lavery Porsche Dealership is located at 34350 Woodward Ave while a two story commercial building is located at 909-911 Haynes Street. The applicant is proposing to demolish the existing buildings, combine the lots, and construct a multi-story auto sales agency capable of accomodating a larger fleet of vehicles on-site.

Auto sales agencies and auto show rooms within the MU-5 and MU-7 Zone require a Special Land Use Permit (SLUP), which the applicant obtained November 8, 2010 for the 34350 Woodward parcel only.

In November of 2020 and January of 2021, the applicant appeared before City Commission to request a lot combination, however the applicant had yet to complete a formal review process with the Planning Board for expanding the use under a SLUP. The applicant was directed to obtain site plan and SLUP review prior to completing the lot combination process.

On December 1, 2022, ([Agenda](#) – [Minutes](#)) the applicant appeared before the Multi-Modal Transportation Board (MMTB) to review recommendations of the Triangle District Plan's concepts for the intersection of Elm Street, Haynes Street, and Woodward Avenue.

On January 25, 2023, ([Agenda](#) – [Minutes](#)) the Planning Board reviewed the application for the Final Site Plan and Special Land Use Permit (FSP & SLUP). The Planning Board moved to recommend approval of the FSP & SLUP with the requirement to obtain a lot combination as a condition of approval.

The Combination of Land Parcels Ordinance (Chapter 102, Section 102-83) requires that the following standards be met for approval of a lot combination.

- (1) *The Combination will result in lots or parcels of land consistent with the character of the area where the property is located, Chapter 126 of this Code for the zone district in which the property is located, and all applicable master land use plans.*

In regards to character of the area, the property is located within the City's Triangle District. The area is surrounded by a variety of uses and buildings ranging from one story to five stories in height which are mostly surrounded by surface parking.

In regards to zoning, 34350 Woodward is zoned MU-7 in the Triangle Overlay District while 909-911 Haynes Street is zoned MU-5. Both parcels are zoned B-2 in the underlying Zoning District. As previously mentioned, auto sales and auto showrooms are permitted with approval of a Special Land Use Permit in the MU-5 and MU-7 Zones. The subject property's SLUP application in 2010 was for one parcel only at 34350 Woodward and expanding the auto sales and auto showroom use requires a SLUP amendment.

The applicant has appeared before the Planning Board for Preliminary and Final Site Plan and SLUP review with the new building proposal. The applicant has satisfied all Zoning Ordinance requirements and merited a recommendation of approval from the Planning Board to the City Commission.

In regards to applicable Master Plans, the Triangle District Plan recommends that Worth Street be realigned to connect Bowers Street to the proposed Worth Plaza to improve connectivity within the Triangle District. City staff has determined not to pursue the Worth Street extension due to complications, one of which being a lack of control over the property to the north necessary for completing the extension.

The Triangle District Master Plan also recommends that the intersection of Elm Street at Haynes Street and Woodward Avenue be realigned to reduce speeds of vehicles exiting Woodward Ave onto Elm Street, reduce turning conflicts, and enhance pedestrian safety at the crosswalks. The applicant has appeared before the Multi-Modal Transportation Board and Planning Board for review of this intersection. There was general consensus from each board that option C2 of the Triangle District Plan which includes a one way southbound Elm Street with an extended bumpout to prevent turning conflicts from Haynes Street should be implemented. The implementation of option C2 was recommended as a condition of approval for the applicant's Final Site Plan and SLUP.

Accordingly, the proposed lot combination appears to satisfy this requirement.

- (2) *All residential lots formed as a result of a combination shall be a maximum width of no more than twice the average lot width of all lots in the same zone district within 300 feet*

on the same street.

The proposed combination is commercial, not residential, therefore this requirement is not applicable.

- (3) *All residential lots formed as a result of a combination shall be a maximum area of no more than twice the average lot area of all lots in the same zone district within 300 feet on the same street.*

The proposed combination is commercial, not residential, therefore this requirement is not applicable.

- (4) *The combination will result in building envelopes on the combined parcels that will allow for the placement of buildings and structures in a manner consistent with the existing rhythm and pattern of development within 500 feet in all directions in the same zone district.*

The Triangle District has a variety of buildings types ranging in height and size, many of which are surrounded by large surface parking lots. **Given the existing conditions of the lower Triangle District, the proposed lot combination and building envelope appear to meet this requirement.**

- (5) *Any due or unpaid taxes or special assessments upon the property have been paid in full.*

There are no outstanding taxes due on this property. **The proposal meets this requirement.**

- (6) *The combination will not adversely affect the interest of the public or the abutting property owners. In making this determination, the City Commission shall consider, but not be limited to the following:*

a.) The location of proposed buildings or structures, the location and nature of vehicular ingress or egress so that the use or appropriate development of adjacent land or buildings will not be hindered, nor the value thereof impaired.

Based on the attached survey the proposed lot combination and building envelope appear to meet this requirement.

b.) The effect of the proposed combination upon any floodplain areas, wetlands and other natural features and the ability of the applicant to develop a buildable site on the resulting parcel without unreasonable disturbances of such natural features.

The property is not located in a floodplain or wetlands, nor adjacent to a floodplain or wetlands.

c.) The location, size, density and site layout of any proposed structures or buildings as they may impact an adequate supply of light and air to adjacent properties and the capacity of essential public facilities such as police and fire protection, drainage structures, municipal sanitary sewer and water, and refuse disposal.

The proposed lot combination does not appear to impact the supply of light and air to adjacent properties or the ability of the City to provide essential services.

LEGAL REVIEW:

The City Attorney has reviewed the request and has no objections as to the form and content.

FISCAL IMPACT:

There are no fiscal impacts for this agenda item.

PUBLIC COMMUNICATIONS:

As required for lot combinations, notices will be sent out to all property owners and tenants within 300 ft. of the property in advance of the January 22, 2024 public hearing at the City Commission.

SUMMARY:

The Planning Division requests that the City Commission set a public hearing date of January 22, 2024 to consider the lot combination of 34350 Woodward Ave and 909-911 Haynes Street, Fred Lavery Porsche, parcel # 19-36-281-022 and parcel # 19-36-281-030.

ATTACHMENTS:

- Registered land surveys
- Proof of ownership

SUGGESTED ACTION:

Make a motion adopting a resolution to set a public hearing date of January 22, 2024 to consider the lot combination of 34350 Woodward Ave and 909-911 Haynes Street, Fred Lavery Porsche, parcel # 19-36-281-022 and parcel # 19-36-281-030.

CERTIFICATE OF SURVEY
ORIGINAL PARCEL CONFIGURATION

LEGAL DESCRIPTION

(Per Survey Oakland)

19-36-281-030
T2N, R10E, SEC 36 BOWERS ADD ELY PART OF LOT 6 BEG AT NE LOT COR, TH WLY 1.35 FT ALG N LOT LINE, TH S 01-00-00 W 65.50 FT PARA TO E LOT LINE, TH SELY 52.89 FT TO SE LOT COR, TH NLY 118.42 FT ALG E LOT LINE TO BEG, ALSO ALL OF LOTS 7, 8 & 9, ALSO WLY PART OF LOT 10 MEAS 10.14 FT ALG N LOT LINE & 10.58 FT ALG S LOT LINE

LEGAL DESCRIPTION

(Per Survey Oakland)

19-36-281-022
T2N, R10E, SEC 36 BOWERS ADD LOT 3 EXC THAT PART TAKEN FOR HWY, ALL OF LOTS 4 & 5, ALSO LOT 6 EXC ELY PART BEG AT NE LOT COR, TH W 1.35 FT ALG N LOT LINE, TH SLY 65.50 FT PARA TO E LOT LINE, TH SELY 52.89 FT TO SE LOT COR, TH NLY ALG LOT LINE TO BEG



PEA, Inc.

2430 Rochester Ct, Ste 100
Troy, MI 48063-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

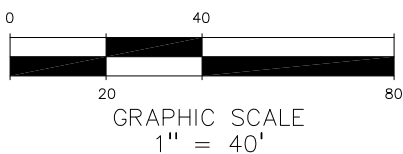
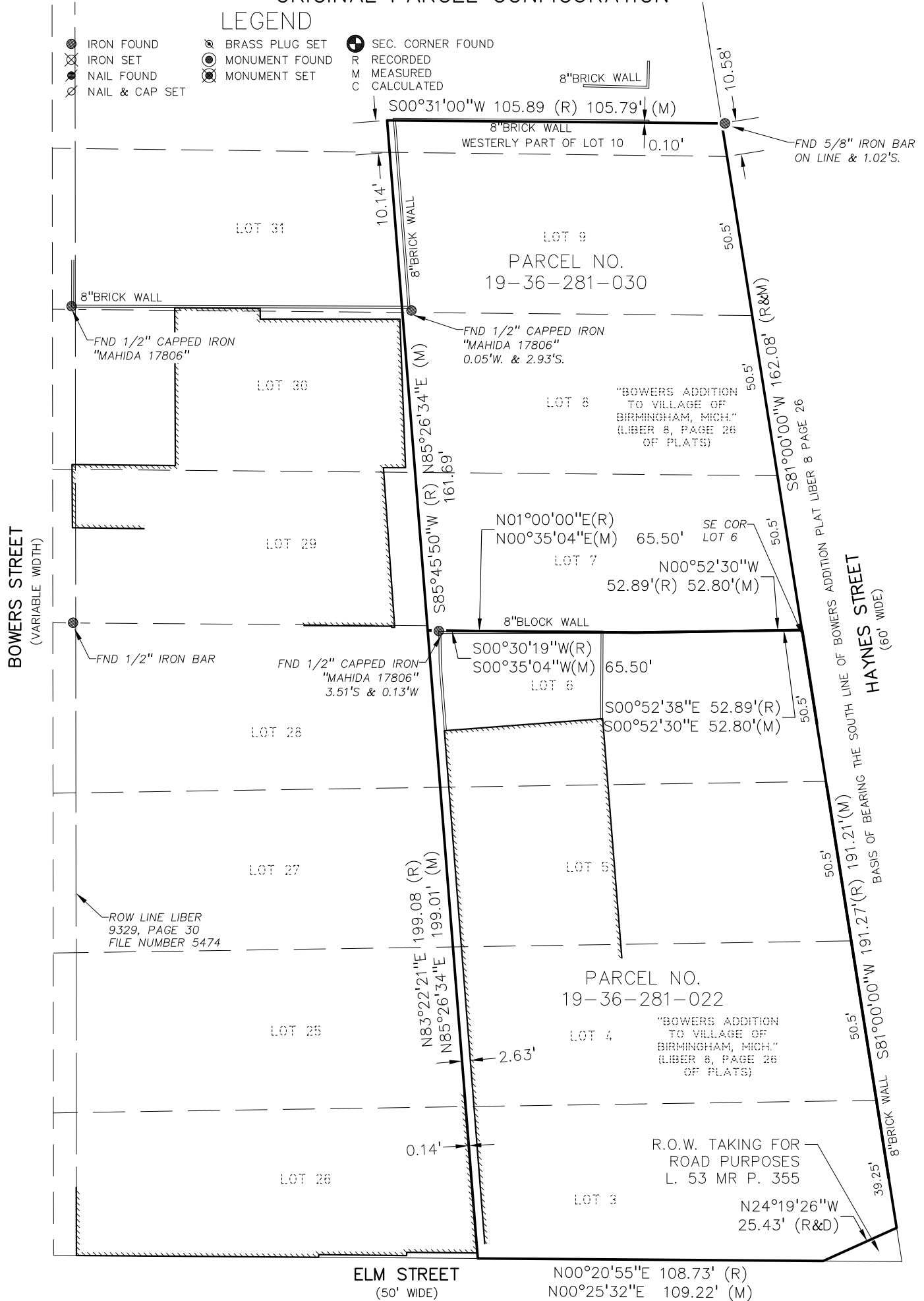
CLIENT: Lavery Michigan Dealership Properties No. 1, LLC 909 HAYNES STREET BIRMINGHAM, MICHIGAN 48009	SCALE: —	JOB No: 2019-344
	DATE: 9/18/19	DWG. No: 1 of 4

S:\PROJECTS\2019\2019-344 LAVERY-BARDHA PARCEL CONSOLIDATION\SURVEY-DEPT\19344BND\DWG\19-344 Parcel consolidation.dwg; RAT

CERTIFICATE OF SURVEY
ORIGINAL PARCEL CONFIGURATION

LEGEND

- IRON FOUND
- IRON SET
- NAIL FOUND
- NAIL & CAP SET
- BRASS PLUG SET
- MONUMENT FOUND
- MONUMENT SET
- SEC. CORNER FOUND
- R RECORDED
- M MEASURED
- C CALCULATED



CLIENT:
Lavery Michigan Dealership Properties No. 1, LLC
909 HAYNES STREET
BIRMINGHAM, MICHIGAN 48009

SCALE: 1" = 40'

DATE: 9/18/19

JOB No: 2019-344

DWG. No: 2 of 4

PEA, Inc.

2430 Rochester Ct. Ste 100
Troy, MI 48063-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

S:\PROJECTS\2019\2019-344 LAVERY-BARDHA PARCEL CONSOLIDATION\SURVEY-DEPT\19344BND\DWG\19-344 Parcel consolidation.dwg; RAT

CERTIFICATE OF SURVEY
PROPOSED PARCEL CONSOLIDATION

LEGAL DESCRIPTION
(Per PEA Inc.)

Combined Parcel

Land situated in the City of Birmingham, County of Oakland, State of Michigan
Described as follows:

A parcel of land lying in "Bowers Addition" being a part of Section 36, Town 2 North, Range 10 East, including all of lots 3, 4, 5, 6, 7, 8, 9, and the westerly 10.14 feet along the northerly line of Lot 10 and the westerly 10.58 feet along the southerly line of Lot 10, excluding a portion taken for Right-of-Way purposes, as described in Liber 53 Miscellanies Records, Page 355,, more particularly described as;

Commencing at the southwest corner of Lot 3, thence N81°00'00"E, 10.79 feet along the south line of said Lot 3 to the Point of Beginning;
thence N24°19'26"W, 25.43 feet;
thence N00°25'32"E, 109.22 feet along the West Line of said Lot 3 and the East Line of Elm Street;
thence N85°26'34"E, 360.70 feet along the North Line of Lots 3-10 of said Bower's Addition;
thence S00°31'00"W, 105.79 feet;
thence S81°00'00"W, 353.29 feet along the South Line of said Lots 3-10 and the North Line of Haynes Street to the Point of Beginning.
Containing 0.99 Acres more or less.

Basis of bearing the south line of Bowers Addition Plat Liber 8 Page 26

CERTIFICATION

I, Todd D. Shelly, being a Licensed Professional Surveyor, hereby certify, that I have surveyed and mapped the parcel(s) heron described and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying and that all the requirements of P.A. 132 of 1970, as amended, have been complied with.

DATE

Michigan Professional Surveyor No. 41111
Agent for PEA, Inc.



PEA, Inc.
2430 Rochester Ct, Ste 100
Troy, MI 48063-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

CLIENT: Lavery Michigan Dealership Properties No. 1, 909 HAYNES STREET BIRMINGHAM, MICHIGAN 48009	SCALE: - LC	JOB No: 2019-344
	DATE: 9/18/19	DWG. No: 3 of 4

CERTIFICATE OF SURVEY
PROPOSED PARCEL CONSOLIDATION

LEGEND

- IRON FOUND
- ⊗

 IRON SET
- NAIL FOUND
- ⊗

 NAIL & CAP SET
- ⊗

 BRASS PLUG SET
- ⊗

 MONUMENT FOUND
- ⊗

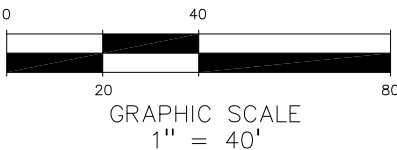
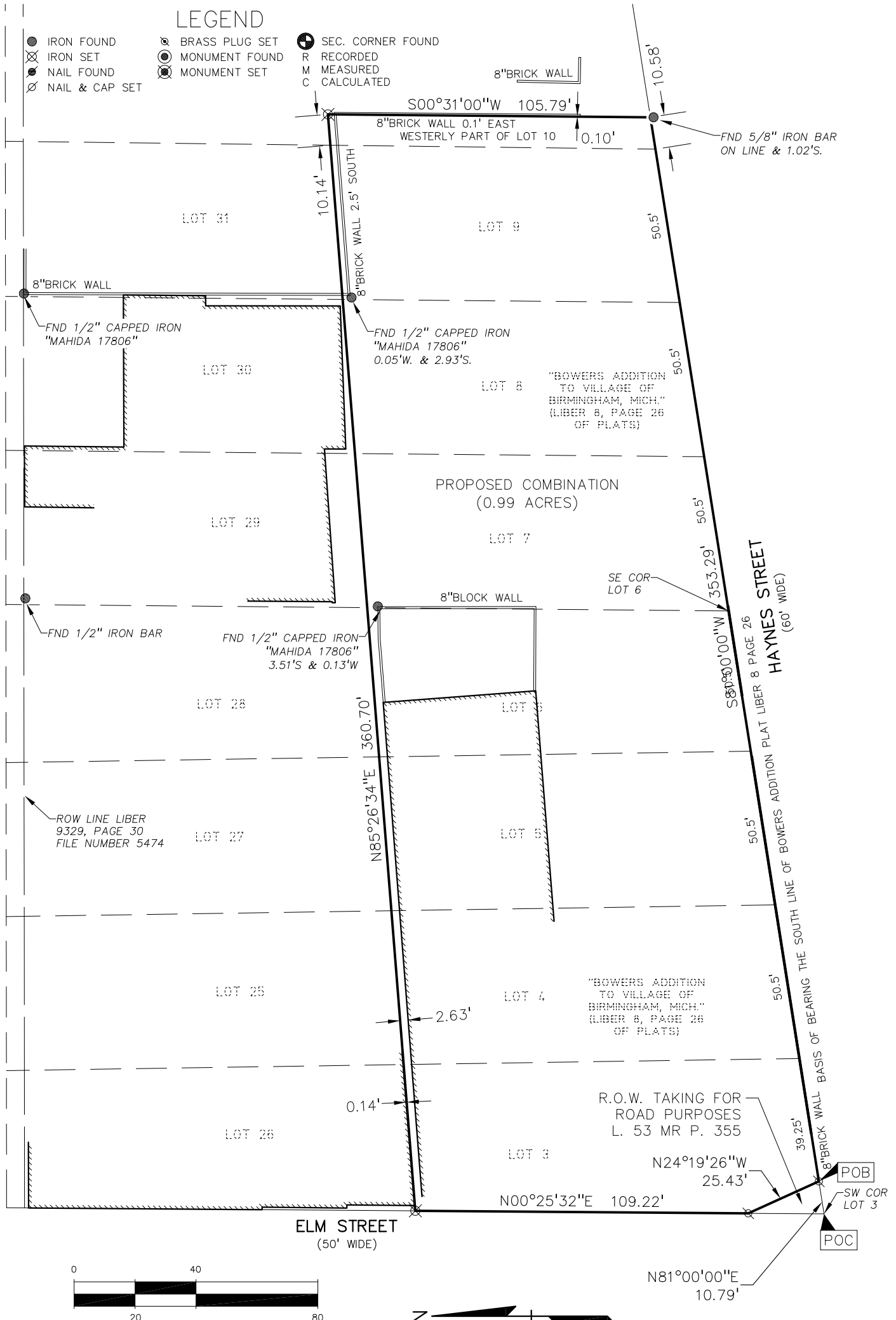
 MONUMENT SET
- ⊙

 SEC. CORNER FOUND
- R

 RECORDED
- M

 MEASURED
- C

 CALCULATED



CLIENT:
Lavery Michigan Dealership Properties No. 1, LLC
909 HAYNES STREET
BIRMINGHAM, MICHIGAN 48009

SCALE: 1"= 40'
DATE: 9/18/19

JOB No: 2019-344
DWG. No: 4 of 4

PEA, Inc.
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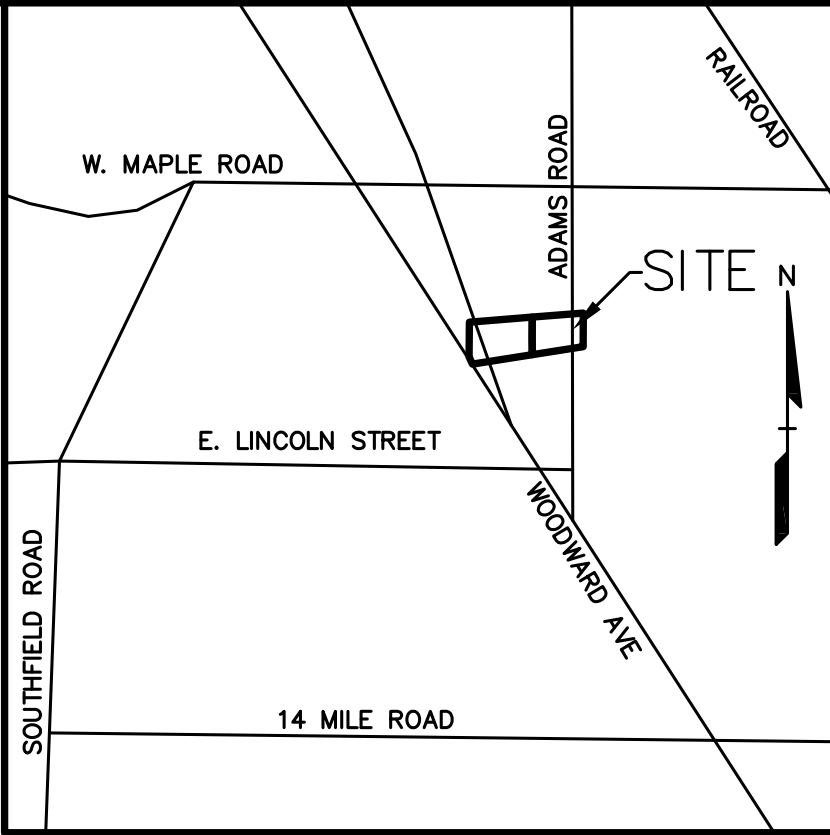
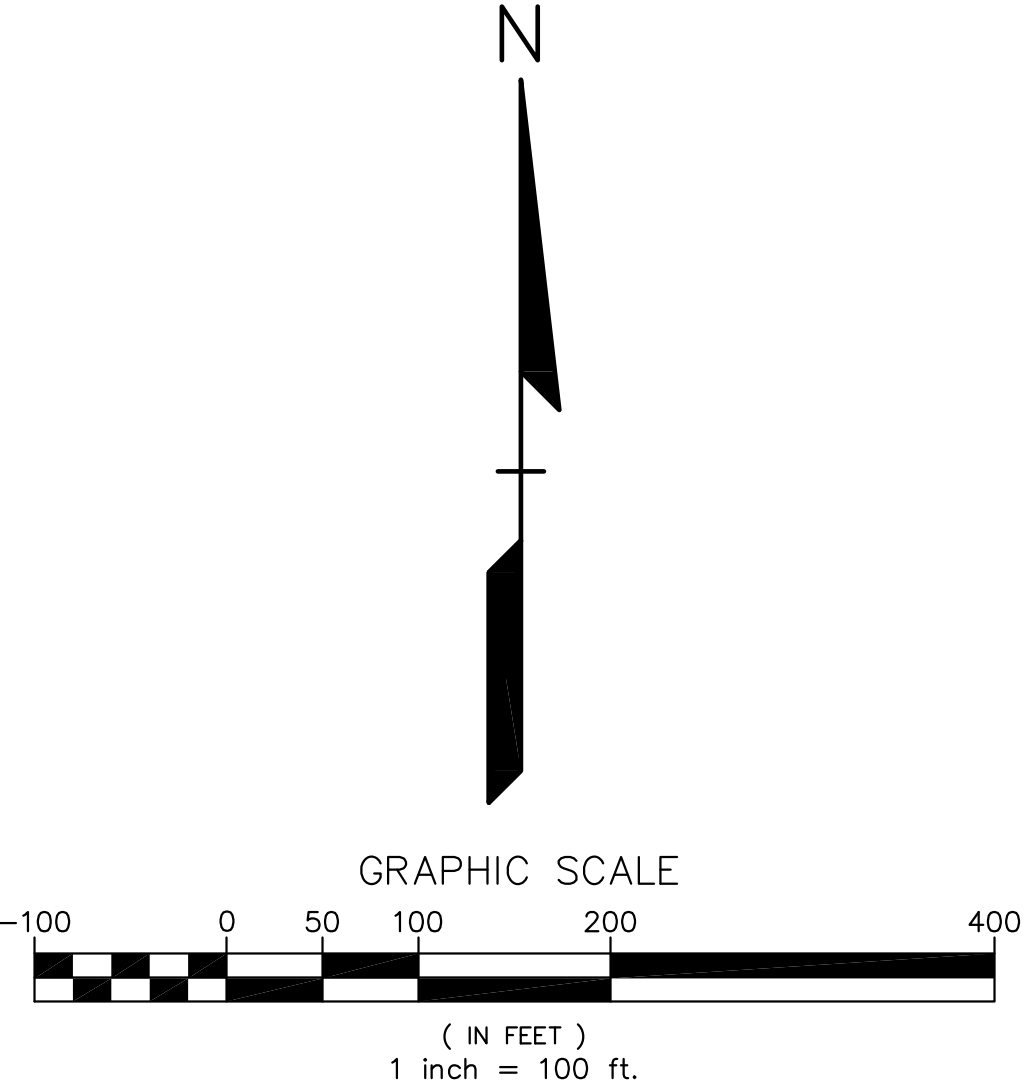
LEGAL DESCRIPTION
(Per PEA Inc.)

Land situated in the City of Birmingham, County of Oakland, State of Michigan Described as follows:

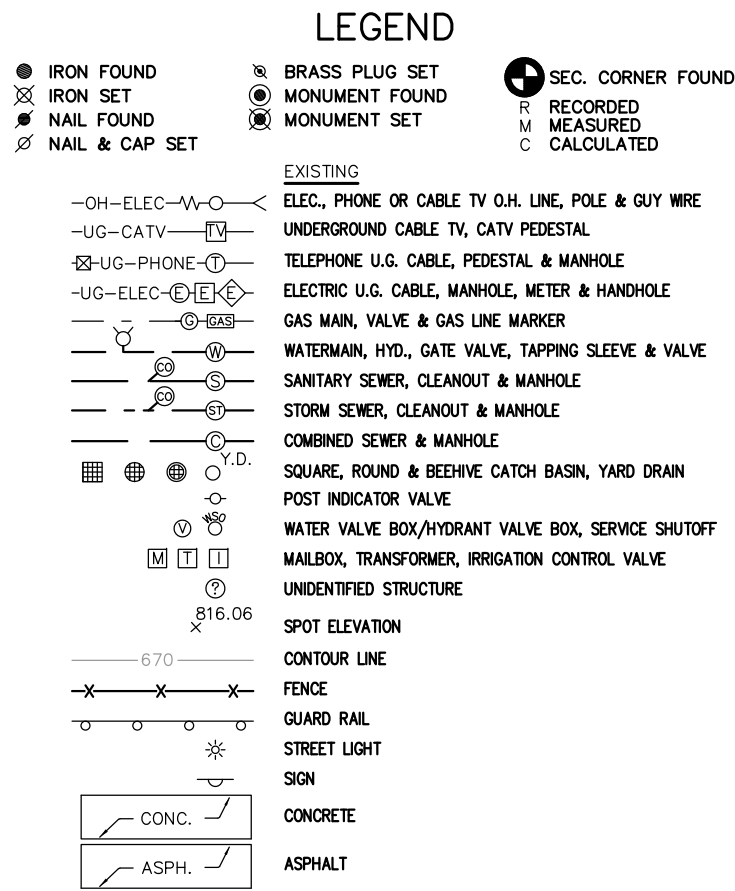
A parcel of land lying in "Bowers Addition" being a part of Section 36, Town 2 North, Range 10 East, including all of lots 3, 4, 5, 6, 7, 8, 9, and the westerly 10.14 feet along the northerly line of Lot 10 and the westerly 10.58 feet along the southerly line of Lot 10, excluding a portion taken for Right-of-Way purposes, as described in Liber 53 Miscellaneous Records, Page 355,, more particularly described as;

Commencing at the southwest corner of Lot 3, thence N81°00'00"E, 10.79 feet along the south line of said Lot 3 to the Point of Beginning;
thence N24°19'26"W, 25.43 feet;
thence N00°25'32"E, 109.22 feet along the West Line of said Lot 3 and the East Line of Elm Street;
thence N85°26'34"E, 360.70 feet along the North Line of Lots 3-10 of said Bower's Addition;
thence S00°31'00"W, 105.79 feet;
thence S81°00'00"W, 353.29 feet along the South Line of said Lots 3-10 and the North Line of Haynes Street to the Point of Beginning.
Containing 0.99 Acres more or less.

Basis of bearing the south line of Bowers Addition Plat Liber 8 Page 26



LOCATION MAP - NOT TO SCALE



CAUTION!!
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS MADE FOR THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

THIS DRAWING AND DESIGN ARE THE PROPERTY OF PEA, INC. THEY ARE SUBMITTED ON THE CONDITION THAT THEY ARE NOT TO BE USED, REPRODUCED, OR COPIED, IN WHOLE OR IN PART, OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF PEA, INC. ALL COMMON LAW RIGHTS OF COPYRIGHT AND OTHERWISE ARE HEREBY SPECIFICALLY RESERVED. © 2019 PEA, INC.

CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THE REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD ORDER PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

3 FULL WORKING DAYS BEFORE YOU DIG CALL 811

Know what's below
Call before you dig

MISS Dig System, Inc.
1-800-482-7171 www.missdig.net

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2430 Rochester Ct. Ste 100
Troy, MI 48063-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

Lavery Michigan Dealership Properties No. 1, LLC
899 HANES STREET
BIRMINGHAM, MICHIGAN 48009

LAND COMBINATION SURVEY
BOWERS ADDITION
PART OF THE NORTH 1/4 OF SECTION 36, TOWN 2 NORTH, RANGE 10 EAST, COUNTY OF OAKLAND, MICHIGAN

DES.	DN.	RAT.	SUR.	DAN.	P.M.	TDS.

ORIGINAL ISSUE DATE:
September 19, 2019

PEA JOB NO. 2019-344

SCALE: 1" = 100'

DRAWING NUMBER:
C1.10

EXHIBIT A

LEGAL DESCRIPTION

Land situated in the City of Birmingham, Oakland County, Michigan, more particularly described as:

Lot 3 of "Bowers Addition", according to the plat thereof recorded in Liber 8 of Plats, Page 26, Oakland County Records, except that part taken for highway; also together with:

All of Lots 4 and 5 of "Bowers Addition", according to the plat thereof recorded in Liber 8 of Plats, Page 26, Oakland County Records; also together with

Lot 6 of "Bowers Addition", according to the plat thereof recorded in Liber 8 of Plats, Page 26, Oakland County Records, except the Easterly part, beginning at the Northeast Lot corner; thence West 1.35 feet along the Lot line; thence Southerly 65.50 feet parallel to the East Lot line; thence South 52.89 feet to the Southeast Lot corner; thence Northerly along said Lot line to the beginning.

Sidwell #: 19-36-281-022
Commonly Known As: 835 and 845 Haynes Street

Commonly Known as 34350 Woodward Ave.
Birmingham, MI

See Attached letter

Warranty Deed
A-1



July 9, 2012

Ms. Sandy Melki
US Auto Group, Ltd.
34602 Woodward Ave.
Birmingham, Michigan 48009

Ms. Melki:

This letter is to confirm the City of Birmingham did change the address of the property where the Fred Lavery Company / Porsche Dealership are located. The previous address was 835 Haynes Street and the new address is 34350 Woodward Avenue. If you have any questions regarding this matter please contact me at (248) 530-1849 during normal business hours.

Sincerely,

Kenneth P. Cooper
Assistant Building Official

A2
EXHIBIT A - LEGAL DESCRIPTION

Tax Id Number(s): 19-36-281-030

Land Situated In the City of Birmingham in the County of Oakland in the State of MI

Town 2 North, Range 10 East, Section 36, BOWERS ADDITION SUBDIVISION, as recorded in Liber 8, Page 26 of Plats, Oakland County Records. Easterly part of Lot 6 beginning at Northeast lot corner, thence Westerly 1.35 feet along North lot line, thence South 01 degrees 00 minutes 00 seconds West 65.50 feet parallel to East lot line, thence Southeasterly 52.89 feet to Southeast lot corner, thence Northerly 118.42 feet along East lot line to beginning, also all of Lots 7, 8 and 9, also Westerly part of Lot 10 measures 10.14 feet along North lot line and 10.58 feet along South lot line.

Client Reference: 907 & 911 Haynes St. , Birmingham, MI 48009

EXHIBIT A

LEGAL DESCRIPTION

Land situated in the City of Birmingham, Oakland County, Michigan, more particularly described as:

Lot 3 of "Bowers Addition", according to the plat thereof recorded in Liber 8 of Plats, Page 26, Oakland County Records, except that part taken for highway; also together with:

All of Lots 4 and 5 of "Bowers Addition", according to the plat thereof recorded in Liber 8 of Plats, Page 26, Oakland County Records; also together with

Lot 6 of "Bowers Addition", according to the plat thereof recorded in Liber 8 of Plats, Page 26, Oakland County Records, except the Easterly part, beginning at the Northeast Lot corner; thence West 1.35 feet along the Lot line; thence Southerly 65.50 feet parallel to the East Lot line; thence South 52.89 feet to the Southeast Lot corner; thence Northerly along said Lot line to the beginning.

Sidwell #: 19-36-281-022
Commonly Known As: 835 and 845 Haynes Street

Warranty Deed
A-1

EXHIBIT B

EXCEPTIONS

1. Taxes and assessments for the year 2010 and thereafter which constitute a lien on the Property but are not yet due and payable.
2. Highway Easement recorded in Liber 53, Page 355 of Miscellaneous Records, Oakland County Records, Michigan.

OAKLAND.1841170.1

Warranty Deed
B-1

EXHIBIT A - LEGAL DESCRIPTION

Tax Id Number(s): 19-36-281-030

Land Situated In the City of Birmingham in the County of Oakland in the State of MI

Town 2 North, Range 10 East, Section 36, BOWERS ADDITION SUBDIVISION, as recorded in Liber 8, Page 26 of Plats, Oakland County Records. Easterly part of Lot 6 beginning at Northeast lot corner, thence Westerly 1.35 feet along North lot line, thence South 01 degrees 00 minutes 00 seconds West 65.50 feet parallel to East lot line, thence Southeasterly 52.89 feet to Southeast lot corner, thence Northerly 118.42 feet along East lot line to beginning, also all of Lots 7, 8 and 9, also Westerly part of Lot 10 measures 10.14 feet along North lot line and 10.58 feet along South lot line.

Client Reference: 907 & 911 Haynes St. , Birmingham, MI 48009

EXHIBIT B

EXCEPTIONS

1. Lease dated June 3, 2010 between Sheriban and Agim Bardha and Spa Mariana, LLC, successor in interest to Corpo Chair Massage, LLC.

OAKLAND COUNTY TREASURER'S CERTIFICATE
This is to certify that there are no delinquent property
taxes as of this date owed to our office on this property.
No representation is made as to the status of any taxes,
penalties or fines owed to any other entities.

MAY 15 2015

1.00

ANDREW E. MEISNER, County Treasurer
Sec. 135, Act 206, 1893 as amended

LIBER 48188 PAGE 142
\$22.00 DEED - COMBINED
\$4.00 REMONUMENTATION
\$17,200.00 TRANSFER TX COMBINED
05/18/2015 03:32:24 PM RECEIPT# 56415
PAID RECORDED - Oakland County, MI
Lisa Brown, Clerk/Register of Deeds

STATE OF
MICHIGAN

OAKLAND
05/18/2015
56415

REAL ESTATE
TRANSFER TAX

\$2,200.00 CO
\$15,000.00 ST
001002777

WARRANTY DEED

THEODORE N. MITCHELL AND KATHY MITCHELL, husband and wife, GREGORY MITCHELL AND ATHINA MITCHELL, husband and wife, AND MARK MITCHELL AND MARTHA MITCHELL, husband and wife (collectively, "Grantor"), whose address is 339 N. Center Street, Northville, Michigan 48167 ("Grantor"), conveys and warrants to Lavery Michigan Dealership Properties a Michigan limited liability company ("Grantee"), whose address is 33583 Woodward Ave. Birmingham the premises situated in the City of Birmingham, Oakland County, Michigan, more specifically described as: **MI 48009

*No. 1, LLC, a Michigan limited liability company

See Exhibit A hereto

for the sum set forth on the Real Estate Transfer Tax Valuation Affidavit filed herewith, subject only to the exceptions set forth on Exhibit B hereto.

If the land being conveyed is unplatted, the following is deemed to be included:

Grantor grants to Grantee the right to make all division(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

Dated:

April 30, 2015

OK - LB

Cert

[SIGNATURES BEGIN ON NEXT PAGE]

Warranty Deed

1508076

26

GRANTOR:

Theodore N. Mitchell

Theodore N. Mitchell

Kathy Mitchell

Kathy Mitchell, his wife

Gregory Mitchell

Gregory Mitchell

Athina Mitchell

Athina Mitchell, his wife

Mark Mitchell

Mark Mitchell

Martha Mitchell

Martha Mitchell, his wife

STATE OF MICHIGAN)

COUNTY OF OAKLAND) ss.

The foregoing instrument was acknowledged before me in OAKLAND County, Michigan, this 10th day of June, 2010, by Theodore N. Mitchell and Kathy Mitchell, his wife.

Sandra J. Meeki

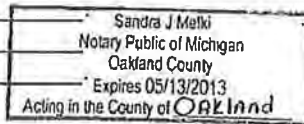
Print name: Sandra J. Meeki

Notary Public

State of Michigan, County of _____

My commission expires _____

Acting in the County of _____



Warranty Deed

STATE OF MICHIGAN)
COUNTY OF Oakland) ss.

The foregoing instrument was acknowledged before me in Oakland County, Michigan, this 16th day of June, 2010, by Gregory Mitchell and Athina Mitchell, his wife.

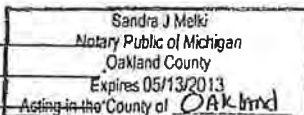
Sandra J Meeki
Print name: Sandra J. Meeki

Notary Public

State of Michigan, County of

My commission expires

Acting in the County of



STATE OF MICHIGAN)
COUNTY OF Oakland) ss.

The foregoing instrument was acknowledged before me in Oakland County, Michigan, this 16th day of June, 2010, by Mark Mitchell and Martha Mitchell, his wife.

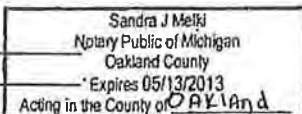
Sandra J Meeki
Print name: Sandra J. Meeki

Notary Public

State of Michigan, County of

My commission expires

Acting in the County of



Drafted by and when recorded return to:

Howard N. Luckoff, Esq.
Honigman Miller Schwartz and Cohn LLP
2290 First National Building
660 Woodward Avenue
Detroit, MI 48226

Send subsequent tax bills to: Grantee

Recording Fee: \$ _____

Transfer Tax: See Real Estate Transfer Tax Valuation Affidavit

Warranty Deed

OAKLAND COUNTY TREASURER'S CERTIFICATE
I HEREBY CERTIFY that there are no TAX LIENS or TITLES held by the state or any individual against the within description and all TAXES on same are paid for five years previous to the date of this instrument as appears by the records in the office except as stated.

feh

JUN 06 2014

1.00

ANDREW E. MEISNER, County Treasurer
Sec. 135, Act 206, 1893 as amended

00-1862

LIBER 47102 PAGE 586
\$19.00 DEED - COMBINED
\$4.00 REMONUMENTATION

06/06/2014 03:17:34 PM RECEIPT# 53438
PAID RECORDED - Oakland County, MI
Lisa Brown, Clerk/Register of Deeds



COVENANT DEED

Agim Bardha and Sheriban Bardha, husband and wife (collectively, "Grantor"), whose address is 550 Bates, Birmingham, Michigan 48009, hereby sells, conveys, grants and bargains to Lavery Michigan Dealership Properties No. 1, LLC, a Michigan limited liability company ("Grantee"), whose address is 440 Lake Park Drive, Birmingham, Michigan 48009, the premises situated in the City of Birmingham, Oakland County, Michigan, more specifically described as:

See Exhibit A hereto

for the sum set forth on the Real Estate Transfer Tax Valuation Affidavit filed herewith.

Grantor, for itself, its successors and assigns, covenants, grants, bargains, and agrees to and with Grantee, its successors and assigns, that, subject to the exceptions set forth on Exhibit B hereto, Grantor has not done, committed or knowingly suffered to be done or committed any act, matter, or thing whatsoever, whereby the premises hereby granted, or any part thereof, is, or shall or may be, charged or encumbered in title, estate or otherwise.

4P
R

If the land being conveyed is unplatted, the following is deemed to be included:

Grantor grants to Grantee the right to make all division(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

[SIGNATURES ON NEXT PAGE]

OK - LG

RECEIVED
OAKLAND COUNTY
REGISTER OF DEEDS
2014 JUN -6 PM 3:17

REVENUE TO BE AFFIXED
AFTER RECORDING

Covenant Deed
Page 1 of 2

**SIGNATURE PAGE TO COVENANT DEED FROM
SHERIBAN AND AGIM BARDHA TO LAVERY MICHIGAN DEALERSHIP
PROPERTIES NO. 1, LLC**

GRANTOR:



Sheriban Bardha

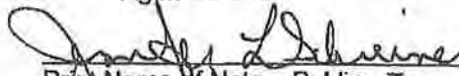


Agim Bardha

Dated as of June 2, 2014

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

This instrument was acknowledged before me in Oakland County, Michigan, on the 2nd of June, 2014, by Sheriban Bardha and Agim Bardha.



Print Name of Notary Public: Jennifer L. Schreiner
Notary Public, State of Michigan, County of Oakland
My commission expires: 4/11/20
Acting in the County of Oakland

~~Drafted by and when recorded return to:~~
Sarah Baumgartner, Esq.
Honigman Miller Schwartz and Cohn LLP
660 Woodward Avenue
2290 First National Building
Detroit, MI 48226-3506

When Recorded Return to:
Title Source, Inc. -
Commercial Team
662 Woodward Avenue
Detroit, MI 48226
TSI#: 58767941

Send subsequent tax bills to: Grantee

Recording Fee: \$ _____

Transfer Tax: See Real Estate Transfer Tax Valuation Affidavit

Covenant Deed
Page 2 of 2



MEMORANDUM

Engineering Department

DATE: December 11, 2023

TO: Jana L. Ecker, City Manager

FROM: Melissa A. Coatta, City Engineer

SUBJECT: Edgewood Road Project #6-24 (S)
Set Public Hearing Dates for Hearing of Necessity and Confirmation of the Roll for
Water and Sewer Laterals Special Assessment District (S.A.D.)

INTRODUCTION:

The Edgewood road project was issued for bids on December 4, 2023. The project includes the replacement of the sewer on Edgewood between Lincoln and Catalpa, and the water main on Edgewood between Catalpa and E. Southlawn. The City intends to replace private sewer and water laterals meeting certain “useful life” criteria in the right-of-way (ROW) in an effort to protect the public investments being made with this project.

BACKGROUND:

The Engineering Department intends to replace all sewer laterals that are 50 years of age or older, as well as all water services less than 1-inch diameter in accordance with current City policy established to protect the public investment being made with capital improvement projects in the public roadways. All unsuitable sewer services will be replaced with 6” schedule 40 PVC, and water services less than 1 inch in diameter will be replaced with a new 1-inch diameter service, for service lengths located within the public right-of-way.

In accordance with rules from the Michigan Dept. of Environment, Great Lakes, and Energy (EGLE) requiring the complete removal of lead water services from the water main to the water meter on private property, any lead water service will also be replaced as part of the project. Per EGLE, the City is not allowed to charge a property owner for costs associated with the replacement of an existing lead water service.

The parcels within the project zone that may potentially be subject to the sewer and water lateral special assessment are highlighted on the attached map. The Engineering Department will provide additional details confirming a final list of properties that the department plans to include in the assessment, along with estimated construction costs to be assessed at the Hearing of Necessity.

LEGAL REVIEW:

Chapter 94 – Special Assessments of the Birmingham City Code outlines the process by which a special assessment is conducted in the City of Birmingham. This project will follow the prescribed City Code procedures.

FISCAL IMPACT:

Revenue generated from the water and sewer lateral SAD for Edgewood Road will defray the costs incurred by the City for the construction of these improvements.

SUSTAINABILITY:

N/A.

PUBLIC COMMUNICATIONS:

Notice for the Hearing of Necessity and Confirmation of the Roll will be distributed by the Clerk's Office. The Engineering Department plans to send all property owners a letter explaining the proposed work and an explanation of assessment costs based on the engineer's estimate.

SUMMARY:

The Engineering Department recommends that a public hearing of necessity to form a Special Assessment District for the replacement of water and sewer laterals as part of the Edgewood project be scheduled at the City Commission meeting on January 8, 2024, followed by a public hearing for confirmation of the roll on January 22, 2024.

ATTACHMENTS:

- Map of Proposed Special Assessment District Water and Sewer Lateral Replacements (3 pages)

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to set the Public Hearing of Necessity for the replacement and improvement of water and sewer laterals meeting the requirements for assessment for all properties within the project area on Edgewood Road between Lincoln and E. Southlawn on Monday, January 8, 2024, at 7:30 P.M.;

If necessity is determined on January 8, 2024, to meet on Monday, January 22, 2024, at 7:30 P.M., for the purpose of conducting the public hearing to confirm the Assessment of the Roll for the replacement and improvement of water and sewer laterals meeting the requirements for assessment, for all properties within the project area on Edgewood Road between Lincoln and E. Southlawn.



MATCH LINE

MATCH LINE PREVIOUS PAGE



MATCH LINE

MATCH LINE PREVIOUS PAGE



= Limits of project



= Property within Sewer/Water Service SAD



MEMORANDUM

Legal – City Attorney

DATE: December 12, 2023

TO: Jana L. Ecker, City Manager

FROM: Mary M. Kucharek, City Attorney

SUBJECT: Clarification to Recently Amended Ordinance Chapter 114, Utilities, Sec. 93 Obstructing Hydrants/Fire Lanes

INTRODUCTION:

At the November 27, 2023 meeting, the City Commission was presented with an amendment to Chapter 114, Utilities, section 93 to prohibit the obstruction of fire lanes and fire hydrants with any object at any time.

BACKGROUND:

Fire Chief Wells and Fire Marshal Scaife detailed at the November 27, 2023 meeting why it is important for us to have amended Sec. 114-93 to make it illegal to obstruct fire lanes and fire hydrants. The Fire Chief and Fire Marshal explained the then current language of the City ordinance did not allow for fire and police to write tickets to anyone obstructing fire lanes, but with the adoption of the new language, both police officers and the Fire Marshal will have the ability to immediately write a parking ticket for blocking fire hydrants or fire lanes on public and private properties.

To avoid any potential confusion or lack of clarity, it is further recommended that Chapter 114, Utilities, section 93 be amended again to include the penalty statement for obstructing fire lanes or fire hydrants that states that a violation of this section will result in a civil infraction with a \$500 fine with each and every incident being a separate violation.

LEGAL REVIEW:

The City Attorney recommends the proposed amendment.

FISCAL IMPACT:

The City of Birmingham does capture a portion of fines received by the 48th District Court.

SUSTAINABILITY:

N/A

PUBLIC COMMUNICATIONS:

The amendment to the ordinance is part of the Commission packet which has been published for the public to review.

SUMMARY:

It is recommended that the City Commission approve the latest amendment to the fire hydrant and fire lane ordinance so that the fire and police departments can assure access is not hindered to private and public occupancies during emergencies, and further to give clear notification that a violation of this section will result in a civil infraction with a \$500 fine.

ATTACHMENTS:

- Redlined copy of proposed amendment to Chapter 114, Utilities, Section 93

SUGGESTED COMMISSION ACTION:

Make a motion to adopt an ordinance amendment to Chapter 114, Utilities, Article II.-Water Supply Systems, Division 3.-Fire Protection, Sec. 114-93 to prohibit the obstruction of fire lanes and fire hydrants and add that a violation of this section will result in a civil infraction with a \$500 fine.

CITY OF BIRMINGHAM

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND PART II OF THE CITY CODE, CHAPTER 114 – UTILITIES,
ARTICLE II. – WATER SUPPLY SYSTEMS, DIVISION 3. – FIRE PROTECTION**

THE CITY OF BIRMINGHAM ORDAINS:

The City Code, Part II, Chapter 114- Utilities, Article II. – Water Supply Systems, Division 3. Fire Protection, Sec. 114-93. - Obstructing hydrants, shall be amended, and shall read as follows:

Sec. 114-93. Obstructing hydrants/fire lanes.

No person(s) shall in any manner obstruct or prevent free access to any fire hydrant or any fire lane in any place in the City, by placing or storing temporarily, or otherwise parking or obstructing with any vehicle or trailer, or any object, material, snow, debris or structure of any kind, within a distance of 15 feet from a fire hydrant or within any identified fire lane.

A violation of this section will result in a civil infraction with a \$500.00 fine.

All other Articles of Chapter 114. –UTILITIES, shall remain unaffected.

Ordained this _____ day of _____, 2023. Effective upon publication.

Elaine McLain, Mayor

Alexandria D. Bingham, City Clerk

I, Alexandria D. Bingham, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held _____ and that a summary was published _____, 2023.

Alexandria D. Bingham, City Clerk



CITY MANAGER’S REPORT

December 2023

Baldwin Public Library

Holiday Closures

The Baldwin Public Library will be closed on December 24, 25, 31 and January 1.

Library Board Update

The Library Board will meet on December 18, 2023 at 7:30 p.m. for its regular meeting. Board meetings are held in the second floor Board Room. The Library Board will review the FY22-23 Financial Audit with Plante Moran and will also vote to select an artist to create a 2-dimensional piece of art to adorn the walls of the new cafe and collaboration space just inside the new front entrance.

Phase 3 Construction Project

Exterior construction continues on track. The exterior planter beds and terrace have been formed and the steel structure has been completed. Window installation will begin in early January. Follow along with the library's construction project and view the December 2023 renovation report at www.baldwinlib.org/renovation.

Library Tour

If you would like to learn even more about the library, join Director Rebekah Craft for a Behind the Scenes Tour. You'll visit staff areas, learn how items are added to the collection, and hear about new programs and services. The next tour will meet in the Library's Claudia Ireland room on Thursday, January 11 at 11:00 a.m.

Upcoming Events of Interest

Winter Reading Challenge - December 1 through January 31

Stay cozy this winter with BPL's Winter Reading Challenge. Complete reading and activities to get a Bingo and be entered into the grand prize drawing. The challenge runs from December 1, 2023 through January 31, 2024.

Bedtime Tales Story Time

Wednesday, January 3 at 6:15 p.m.

Join Ms. Syntha indoors for end-of-day stories, rhymes and songs. Story times use a first come, first served ticketing system. Tickets will be available 15 minutes before story time begins and

will be handed out until 5 minutes after the scheduled start time. Please see baldwinlib.org/storytime and click on "More Information" for complete details.

A Shifting Landscape: How Immigration Shaped Birmingham

Thursday, January 11 at 7:00 p.m.

How was Birmingham affected by the waves of immigration to the U.S. over the last two hundred years? Who were the groups who gravitated toward Birmingham, and why? Justin Koch will give a closer look at how Birmingham was shaped within the larger national context of immigration.

The Birmingham Museum

The Allen House front porch roof was in need of repair due to heavy snow and ice build up last winter that resulted in moisture damage to the decorative plasterwork on the interior of the first floor. Due to the historic nature of the building and its special architectural features, a roofing firm specializing in historic roof restoration was needed. A qualified firm was located in time to complete the work before significant snow fell this winter, and the work will protect the porch and interior for decades to come. The porch repair, including historic decorative metal railing, is anticipated to be complete by the end of the month.

Birmingham Shopping District (BSD)

Events

Holidays

Santa Walk saw record attendance this year with over 400 families (800-1000 people). Due to the large number of attendees, next year a few modifications will be made to the route and festivities plan.

Thursday Late Night Shopping continues through December 21 with participating merchants, as well as a trolley for families to ride and to encourage shoppers to visit all ends of the downtown.

Despite rainy weather, Winter Markt still had great attendance on Friday and Saturday and featured over 70 vendors. The new layout was received well, and will be the recommended layout moving forward.

Santa House visits continue through December 24, and open seating without an appointment is available on Sundays.

Business Development

Business Recruitment

We are beginning to develop a new business welcome packet with helpful resources, tools and tips. This should be available in the first quarter of 2024.

Customer Relationship Management (CRM)

We are in the final review and discussion phase of a potential new CRM for the BSD. The new CRM will not only be a repository for data, but will reduce redundancies of data entry, seamlessly connect to the BSD website and provide an easy reporting tool. Timeline for implementation is proposed for February - July 2024.

Maintenance & Capital Improvements

Holiday Décor

New holiday banners are now installed along North Old Woodward and South Old Woodward

this season. The BSD will be removing the remaining tall planters in the spring as approved by the Board in order to begin looking at other amenities for the Triangle District.

Marketing & Advertising

Holiday Marketing

The BSD was featured on Live in the D on Wednesday, December 13, showcasing the holiday gift guide, business products and events. The gift guide is available online at www.allinbirmingham.com/giftguide.

Organization

Board of Directors

The BSD Board will be holding executive officer elections in January, and they will be discussing the potential short-term parking and hourly parking changes being proposed by the Parking Manager.

BSD Holiday Calendar of Events

Late Night Thursday Shopping	December 14 and 21
Carriage Rides & Santa House	Saturdays & Sundays through December 24
Saturday Sweet Treats	Saturdays - December 16 & 23

2023 Dashboard Metrics

Retail Occupancy Rate - 99% (out of 1.5 million sq.ft.)

Office Occupancy - 89% (out of 2 million sq.ft.)

19 New Business Openings in 2023 (7 more in process)

75/25% Local vs. National Mix

Commercial, Mixed-Use & Residential Development Projects In Construction/Planning - 15 projects totaling 827,727 sq. ft.

563 New Residential Units In Development

33 Active Volunteers (Board and Committee members)

Building Department

Board of Zoning Appeals

There were four cases on the agenda for the December 12, 2023 Board of Zoning Appeals regular meeting:

1. 490 Berwyn: The owners requested a variance from the minimum distance between their home and the neighbor's house to the north to construct an addition on the rear of their existing nonconforming home. The variance was approved 5/0 (one member recused himself).
2. 612 Davis: The property owner requested variances from the minimum side yard setback and minimum distance between houses to construct a second story addition on an existing nonconforming home. The variances were approved 6/0.
3. 631 Ruffner: The owners requested variances from minimum side yard setback, total combined side yard setbacks and the minimum distance between houses to construct an addition on their existing nonconforming home. It was determined during the meeting that an additional variance is necessary that was not advertised. No action was taken. This request will be presented at a future meeting.
4. 2428 Northlawn: The owner requested a variance from the minimum street side yard setback for the construction of a new house. The variance was approved 6/0.

Jeff Zielke President of OCBOA

At the December meeting of the Oakland County Building Officials Association (OCBOA), Assistant Building Official Jeff Zielke was elected by the membership to serve the organization as President next year. Congratulations, Jeff!

Online Permit Applications

In the month of November, we processed 358 permits online bringing this year's total permits processed electronically to 4,136.

Monthly Report

The [Building Department's monthly report](#) provides an update on the following construction activity: building permits issued, building inspections conducted, trades permits issued and trades inspections conducted.

City Clerk's Office

February 27, 2024 Presidential Primary

Absentee Ballot Applications

Absentee Ballot Applications will be delivered to mailboxes soon to Birmingham voters on the "permanent absentee ballot application" list. This list will be phased out soon as voters migrate to the "permanent ballot" list. Pictured below is the absentee ballot application. There is a lot of information on the absentee ballot application, so read carefully!

OFFICE OF THE CITY CLERK
CITY OF BIRMINGHAM
151 MARTIN STREET
P.O. BOX 3001
BIRMINGHAM, MI 48012-3001
(248) 530-1880
elections@bhamgov.org



NON-PROFIT
ORGANIZATION
U.S. POSTAGE
PAID
TAYLOR, MI
PERMIT NO. 107

FORWARDING SERVICE REQUESTED

OFFICIAL ELECTION MATERIAL
ABSENT VOTER APPLICATION

DO NOT DETACH - RETURN ENTIRE FORM

MI ABSENT VOTER BALLOT APPLICATION 2024 Presidential Primary Feb. 27 / Primary Aug. 6 / General Nov. 5 See Reverse Side for Instructions ➔

I certify that I am a United States citizen and a qualified and registered elector in the CITY OF BIRMINGHAM, County of OAKLAND, State of Michigan, and I apply for an official ballot, to be voted by me in the election(s) checked below, and the statements in this application are true.

Other Elections: Complete to join the permanent absent voter ballot list (optional)
☐ Automatically send me an absent voter ballot for each future election for which I'm eligible.

1 Check One Select election(s) to receive ballot (required):
☐ ALL ☐ FEBRUARY 27, 2024 PRESIDENTIAL PRIMARY ☐ AUGUST 6, 2024 PRIMARY ☐ NOVEMBER 5, 2024 GENERAL

2 Check One Select only one ballot type for the Presidential Primary (required):
☐ Democratic Party Presidential Primary Ballot
☐ Republican Party Presidential Primary Ballot
☐ Ballot Without Presidential Primary (If available, this choice is for voters not voting in the Presidential Primary who wish to vote on other proposals or candidates only.)

3 Complete YEAR OF BIRTH: _____

4 Complete VOTER CONTACT INFORMATION
Phone: () _____ Email: _____

WARNING: A PERSON WHO MAKES A FALSE STATEMENT IN THIS DECLARATION IS GUILTY OF A MISDEMEANOR.
I certify that I am a United States citizen and that the statements in this Absent Voter Ballot application are true.

5 Sign Here **VOTER SIGN HERE** X
Power of attorney is not acceptable _____ Signature of Absent Voter _____ Date: / /

NOTE: Michigan law requires that A.V. Ballots be sent to your registered address unless you request that your absent voter ballot be sent to a different address as provided on this form. A ballot may be mailed to a P.O. Box if you do not have mail delivery to your residence.

Complete Only If You Want Your Ballot Sent To A Temporary Address. USPS will not forward your ballot. If additional addresses are needed or plans change, contact your city/township clerk.

6 Complete If Mailed

SEND PRESIDENTIAL PRIMARY BALLOT TO:	SEND PRIMARY BALLOT TO:	SEND GENERAL BALLOT TO:
TEMPORARY ADDRESS: / /	TEMPORARY ADDRESS: / /	TEMPORARY ADDRESS: / /
DATE LEAVING: / /	DATE LEAVING: / /	DATE LEAVING: / /
DATE OF RETURN: / /	DATE OF RETURN: / /	DATE OF RETURN: / /
Temporary Address	Temporary Address	Temporary Address
City State Zip	City State Zip	City State Zip

Important notes: The third checkbox in step 2, "Ballot Without Presidential Primary" is no longer an option as the City of Birmingham will not have any non-partisan proposals. The deadline for proposal language to be submitted was 4:00 p.m. on Tuesday, December 5, 2023.

Voters who wish to receive an absentee ballot automatically for each election moving forward should check the box in the **yellow** highlighted area.

Permanent Ballot Voters - Ballot Style Request Card

Over 4,500 Birmingham Voters have migrated to the "Permanent Ballot" list by sending a request in writing or through an absentee ballot application from the November 7, 2023 election. These voters will soon receive a postcard (pictured below) to select their ballot style for the February 27, 2024 Presidential Primary Election. Permanent Ballot Voters must return the ballot selection postcard for the Presidential Primary Election. Going forward there will only be one ballot style for the August and November elections in 2024, in November of 2025, and in August and November of 2026.

BALLOT SELECTION FORM FOR PERMANENT BALLOT LIST VOTERS	
FEBRUARY 27, 2024 PRESIDENTIAL PRIMARY ELECTION	
Dear Voter, Although you are on a Permanent Ballot List and scheduled to automatically receive a ballot for every election, you need to select a ballot type for the upcoming 2024 Presidential Primary Election. Please choose one of the following ballot options.	
1 REQUIRED	ONLY SELECT ONE BALLOT TYPE ☐ DEMOCRATIC PARTY Presidential Primary Ballot ☐ REPUBLICAN PARTY Presidential Primary Ballot ☐ BALLOT WITHOUT PRESIDENTIAL PRIMARY (If available) For voters not voting in the Presidential Primary who wish to vote on other proposals or candidates only.
2 Complete	DATE OF BIRTH ____/____/____
3 Complete	VOTER CONTACT INFORMATION Phone: _____ Email: _____
I certify that I am a United States citizen and a qualified and registered elector in the CITY OF BIRMINGHAM, County of OAKLAND, State of Michigan. WARNING: A PERSON WHO MAKES A FALSE STATEMENT IN THIS DECLARATION IS GUILTY OF A MISDEMEANOR.	
4 Sign Date	I certify that I am a United States citizen and that the statements in this Ballot Selection Form are true. VOTER HERE SIGN HERE X Power of attorney is not acceptable Signature of Absent Voter: _____ Date: ____/____/____
NOTE: Michigan law requires that A.V. Ballots be sent to your registered address unless you request that your absent voter ballot be sent to a different address as provided on this form. The U.S. Postal Service will not forward your ballot. A ballot may be mailed to a P.O. Box if that is where the voter normally receives their mail and does not have delivery to their residence. If additional addresses are needed or plans change, contact your city/township clerk.	
5 Complete if Needed	COMPLETE ONLY IF YOU WANT YOUR BALLOT SENT TO A TEMPORARY ADDRESS (PLEASE PRINT) Date Leaving For Temporary Address: ____/____/____ Date of Return: ____/____/____ Temporary Address: _____ City: _____ State: _____ Zip: _____

FORM #1102 (11/23) PRINTING SYSTEMS, INC. (800) 95-12345

The initial mailing of absentee ballots for the February 27, 2024 Presidential Primary Election will take place mid-late January and as requests are received up until the Absentee Ballot Issuing deadline, Monday, February 26, 2024 at 4:00 p.m.

Presidential Candidate List

Under State law, the Secretary of State is required to issue a list of individuals "generally advocated by the national news media to be potential presidential candidates" for the Republican and Democratic parties for the presidential primary election.

The Secretary of State has identified the following candidates (listed alphabetically) as potential presidential candidates in 2024:

Democratic Party

- Joe Biden
- Dean Phillips
- Marianne Williamson

Republican Party

- Ryan Binkley
- Chris Christie
- Ron DeSantis
- Nikki Haley
- Asa Hutchinson
- Vivek Ramaswamy
- Donald Trump

Overseas Voters

Voters who are in the military or will be overseas during any of the 2024 elections must apply for a MOVE ballot at <https://www.fvap.gov/michigan>. In 2023, the governor signed legislation that took immediate effect to allow additional time to receive absentee voter ballots from military and overseas voters. This change comes after Michiganders approved Ballot Proposal 22-2 to amend the State's constitution last year. The new law states that absentee ballots from military and overseas voters will be counted if the ballot return envelope was postmarked on or before Election Day and received within six days following the election.

Permanent Ballot Voters

Since the passage of Proposal 2022-2, clerks now maintain a Permanent Ballot List. Birmingham voters began opting into the Permanent Ballot List by checking the box pictured below on their November 7, 2023 absentee ballot application. This box is also available on the 2024 absentee ballot applications. Both are pictured below.

APPLICATION FOR ABSENT VOTER'S BALLOT
NOVEMBER 7, 2023 ELECTION

I certify that I am a United States citizen and a qualified and registered elector in the CITY OF BIRMINGHAM, County of OAKLAND, State of Michigan. I apply for an official ballot, to be voted by me in the election above, and the statements in this application are true.

COMPLETE TO JOIN PERMANENT LIST
☒ I want to vote absentee in all elections. Automatically send me an absent voter ballot for all elections.

MI ABSENT VOTER BALLOT APPLICATION 2024 Presidential Primary Feb. 27/Primary Aug. 6/General Nov. 5 See Reverse Side for Instructions ➡

I certify that I am a United States citizen and a qualified and registered elector in the CITY OF BIRMINGHAM, County of OAKLAND, State of Michigan, and I apply for an official ballot, to be voted by me in the election(s) checked below, and the statements in this application are true.

Select election(s) to receive ballot (required):

☒ **ALL** ☐ **FEBRUARY 27, 2024 PRESIDENTIAL PRIMARY** ☐ **AUGUST 6, 2024 PRIMARY** ☐ **NOVEMBER 5, 2024 GENERAL**

Other Elections: Complete to join the permanent absent voter ballot list (optional)
☒ Automatically send me an absent voter ballot for each future election for which I'm eligible.

Voters can opt in or out of the Permanent Ballot list at any time by sending a written request to the City Clerk's Office. Voters on the Permanent Ballot List should make sure they keep current contact information on file with the City Clerk's Office including mailing address (especially for those who travel outside of Birmingham during times that ballots are being mailed) as well as phone and email contacts. Ballots are not allowed to be forwarded, so the Clerk's Office will contact all voters whose absentee ballots bounced back to the Clerk's Office in the mail.

Early Voting Dates

Early Voting Dates for the February 27, 2024 Presidential Primary:

Saturday	2/17	8:30 a.m. to 4:30 p.m.
Sunday	2/18	8:30 a.m. to 4:30 p.m.
Monday	2/19	8:30 a.m. to 4:30 p.m.

Tuesday	2/20	8:30 a.m. to 4:30 p.m.
Wednesday	2/21	8:30 a.m. to 4:30 p.m.
Thursday	2/22	12:00 p.m. to 8:00 p.m.
Friday	2/23	8:30 a.m. to 4:30 p.m.
Saturday	2/24	8:30 a.m. to 4:30 p.m.
Sunday	2/25	8:30 a.m. to 4:30 p.m.

Early Voting Locations:

- Waterford Oaks Activities Center, 2800 Watkins Lake Road, Waterford, MI 48328
- Bloomfield Township Public Library, 1099 Lone Pine Rd. Bloomfield Township, MI 48302

Early voting will look and feel just like voting on Election Day. The voter will fill out an application to vote, be checked into the poll book, receive a ballot, mark their ballot, and run their ballot through a tabulator just like voting in person on Election Day.

Early voting is a component of proposal 2022-2 and includes a constitutional right to no less than 9 days of early voting in each Statewide and Federal election (even year election) for no less than 8 hours per day. The February 27, 2024 Presidential Primary election is a Statewide Federal election. Oakland County Elections Division, the City of Birmingham, Bloomfield Township and Southfield Township have an agreement and plan in place to offer early voting at the Bloomfield Township Library. Oakland County is also providing a county-wide Early Voting Location at Waterford Oaks.

For more information on Early Voting check out bhamgov.org/vote.

February 27, 2024 - Presidential Primary Important Deadlines

Friday, December 29, 2023	Deadline for clerk to send the Presidential Primary Ballot Selection Form to permanent ballot voters.
Saturday, January 13, 2024	Deadline for clerk to send initial mailing of ballots to overseas voters.
Thursday, January 18, 2024	Absentee ballots available for issuance to voters.
Monday, February 12, 2024	Deadline to register online, at a SOS branch, or by mail for the February 27, 2024 election.
February 13, 2024 - Election Day	Same-day voter registration with your local clerk, proof of residency required.
Friday, February 16, 2024	Deadline for spoiling an absentee ballot
Saturday, Feb. 17, 2024 through Sunday, Feb. 25, 2024	Early Voting
Friday, February 23, 2024	5:00 p.m. deadline for sending absentee ballots by first class mail
Monday, February 26, 2024	4:00 p.m. deadline for voters to spoil their absentee ballot that was lost or destroyed in-person at the Clerk's Office.
Tuesday, February 27, 2024	8:00 p.m. deadline for absentee ballots to be delivered to the clerk for tabulation

Friday, March 1, 2024	5:00 p.m. deadline for a voter to cure a signature on an AV ballot to be received and counted.
Monday, March 4, 2024	Deadline to receive and count a ballot submitted by an overseas voter postmarked on or before election day.

2024 Election Dates Continued

- State Primary - August 6, 2024
- General Election - November 5, 2024

No Postage Necessary!

Absentee ballot applications and absentee ballot return envelopes for the entire State of Michigan are equipped with a business reply mail permit that will cover the cost of postage for any ballot or application mailed within the United States.

Return Envelopes - What to look out for

Outgoing absentee ballots (to the voter) are blue. All absentee ballot return envelopes (coming back to the Clerk) will be purple. The United States Post Office and Michigan Bureau of Elections worked to redesign these envelopes and changed the color from green to purple to increase the efficiency of processing election mail.

To be opened only by the
Precinct or Absent Voter
Ballot Counting Board

**Office of the City Clerk
City of Birmingham**
151 Martin Street
P.O. Box 3001
Birmingham, MI 48012-3001

**NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES**

**Official
Ballot
Return Envelope**

**Drop off or mail your
ballot so that it is
returned by the deadline.**

For deadline information,
drop box location(s),
or to track your ballot,
go to mi.gov/vote

FORM #695 www.PrintingSystems.us
(R 05/23) (P 05/23)

**SIGN BACK
OF ENVELOPE**

**OFFICIAL
ELECTION MAIL**
Authorized by the U.S. Postal Service

BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 185 LANSING, MI
POSTAGE WILL BE PAID BY ADDRESSEE

**OFFICE OF THE CITY CLERK
CITY OF BIRMINGHAM**
151 MARTIN ST
PO BOX 3001
BIRMINGHAM MI 48012-9902

IMPORTANT! DID YOU...

- Sign in the box below in your own handwriting?
 - Put your ballot in the envelope?
 - Return ballot to the local clerk or drop box by the deadline?
- For deadline information or drop box location(s) go to mi.gov/vote

I assert that:

- I am a United States citizen.
- I am qualified and registered to vote at the address listed.
- I am voting in conformity with state election law.
- I marked my ballot and placed it in this envelope without showing it to anyone.
- I am returning my ballot to the local clerk or drop box by delivering it myself or a member of my immediate family or household, or sending it by public postal, express mail, parcel post service, or other common carrier.

I understand that knowingly making a false statement is a misdemeanor.

VOTER sign here in ink. Power of attorney is not acceptable.

X

Signature of Absent Voter

Date

This box must be signed or your vote will not be counted.

If someone assists you or helps you mark your ballot, they must sign and identify themselves.

I assisted the voter who is disabled or unable to mark their ballot according to their directions and without showing it to another person.

Signature of Person Assisting Voter

Print Name of Person Assisting Voter

Address of Person Assisting Voter City State Zip

A person who assists an absent voter and who knowingly makes a false statement is guilty of a felony.

FOR CLERK'S USE ONLY

Precinct No. _____

Returned:

Date and Time _____

Ballot No. _____

☐ Voter signature verified (Initials) _____

☐ Rejected? Reason _____

Keep your ballot secure.

It is a felony for anyone to be in possession of an absent voter ballot except authorized election officials, employees of postal services or other common carriers during the normal course of their job handling mail, or a member of the voter's immediate family or household who the absent voter has asked to return the ballot.

Precinct No. _____

VOTER SIGNATURE REQUIRED

Greenwood Cemetery Advisory Board (GCAB)

The next meeting for the GCAB is to be determined. To view Greenwood Cemetery Advisory Board agendas and minutes visit www.bhamgov.org/GCAB.

Board of Ethics

The Board of Ethics has meetings scheduled for Tuesday, December 19, 2023 and Wednesday, January 10, 2024. To view the Ethics Board agendas and minutes visit www.bhamgov.org/ethics.

Board Appointments

The City of Birmingham is looking for dedicated individuals who want to give back to their community by serving on one of our many boards or commissions. Birmingham's different boards and commissions make recommendations that shape the City's future. Serving on a board or committee is a great way to get involved in your community, meet new people and make a positive impact. Don't miss out on the chance to make a difference - go to www.bhamgov.org/boardopportunities to view all the available openings and apply.

Board	Openings	Application Due by Noon	Interview/ Appointment at City Commission meeting 7:30 pm
Ad Hoc Aging in Place Committee	None		
Ad Hoc Environmental Sustainability Committee	None		

Advisory Parking Committee	1 regular member (retail) term ending 9/1/2026 1 alternate member term ending 9/1/2026	Until Filled	
Architectural Review Committee	1 regular member term ending 4/11/2025	Until Filled	
Birmingham Shopping District	1 member shall be a business operators or persons with interest in property located within the district, 4-year term ending 11/16/2026	Until Filled	
Birmingham Area Cable Board	1 regular Birmingham resident, term ending 3/30/24 1 regular Birmingham resident, term ending 3/30/26 1 alternate Birmingham resident, term ending 3/30/25	Until Filled	
Board of Building Trades Appeals	None		
Board of Review	2 regular members to serve a 3-year term expiring 12/31/2026 1 alternate member to serve 3-year term expiring 12/31/2026 1 alternate member to serve the remainder of a 3-year term expiring 12/31/2025	12/13/23	12/18/23
Board of Zoning Appeals	1 alternate members term ending 2/18/2026 1 regular member term ending 10/10/2026 (pending Ethics Board opinion)	Until Filled	
Brownfield Redevelopment Authority	1 Regular Members term ending 5/23/2026 1 regular member Term ending 5/23/2024	Until Filled	
Design Review Board			
Ethics Board	2 Alternate members term ending 6/30/2026	Until Filled	
Greenwood Cemetery Advisory Board	None		
Hearing Officer	None		
Historic District Commission	None		
Historic District Study Committee	1 Regular member term ending 6/25/2026	Until Filled	

Housing Board of Appeals	3 Regular Members, terms ending 5/4/2026	Until Filled	
Martha Baldwin Park Board	1 Regular member term ending 5/1/2024 1 Regular members term ending 5/1/2027	Until Filled	
Multi Modal Transportation Board	1 Regular member-at-large from different geographical areas of the City	Until Filled	
Museum Board	None		
Parks & Rec Board	None		
Planning Board	None		
Public Arts Board	2 regular members term ending 1/28/27 1 alternate member term ending 1/28/2025	1/17/24	1/22/24
Retirement Board	None		
Stormwater Utility Appeals Board	3 regular member term ending 1/31/2026 2 alternate members 1/31/2025	1/17/24	1/22/24
Triangle District Corridor Improvement Authority	1 regular business owner term ending 12/15/2026 1 regular business owner term ending 12/15/2027 1 resident of the developed area or area within 1/2 mile of the development area, term ending 12/15/2027	Until Filled	

City Manager's Office

Ad Hoc Aging in Place Committee (AIPC)

On December 2 and 3, City staff attended the Winter Market event and interacted with the public to distribute the Community Survey. With the assistance of the Communications Department, the City issued a press release in regards to the AIPC and the Community Survey. The Community Survey is also being distributed at the City Clerk's Office, the Baldwin Public Library, the Birmingham Museum and Next.

The AIPC held a public engagement meeting at the Baldwin Public Library at 6:00 p.m. on Wednesday, December 13, 2023. The event started with a summary of the work completed to date by the AIPC and then opened up to the public for comment. The event was well attended and the AIPC received good feedback from the public on their thoughts and opinions. So far, more than 160 people have submitted the survey on [Engage Birmingham](#).

YMCA Building

City staff received thirteen (13) responses related to the RFP for building assessment and conceptual designs for the renovation/expansion of the YMCA building by the December 8, 2023 deadline. On Wednesday, December 13, 2023, City staff met with all of the prospective bidders at the YMCA Building for a mandatory pre-bid meeting. After going over the project with all of the bidders, City staff from the Manager's Office, the Building Department and Department of Public Services walked the building with the bidders. The head building facility official with the YMCA also accompanied the group to answer specific building related questions. The deadline for submitting bids to the City is January 5, 2024.

Communications

Around Town e-Newsletter

January Edition

The communications team is working on the January edition of the Around Town e-Newsletter, which will include information about open skating opportunities, winter sports, new businesses and more. Follow [this link to view the December edition](#) of the Around Town e-Newsletter.



Welcome Packets

The communications team mailed more than 300 welcome packets to new residents this year, which includes a letter welcoming them to the community, City calendar, Birmingham Beat newsletter, yard waste sticker and information about our golf courses, summer concerts, GovAlert, Baldwin Public Library, Birmingham Shopping District and more. The team recently ordered folders with the City's logo to provide the materials in an organized and professional manner. Information included in the packets and a welcome video are available at bhamgov.org/residents.

2024 City Calendars

The communications team has been working hard on the 2024 City Calendar. This edition introduces a brand new design by our graphic designer at Accuform Printing, and beautiful imagery by the City's photographer, Chris Cook. Nearly 200 people voted for the cover photo on Engage Birmingham.



Each year the City receives inquiries from residents who are anxious to receive the new edition, and we are pleased the community finds the calendar to be a useful tool to keep track of events, meetings and activities in Birmingham. Residents began receiving the 2024 edition during the week of December 11. Those who have not yet received the City calendar can expect it in their mailbox soon. Thank you to everyone who worked on this year's edition, especially Accuform Printing, City staff members from every department and the communications team.

BIRMINGHAM CITY COMMISSION - UPCOMING AGENDA ITEMS

In Progress

Meeting	Topic	Commissioner	Dates Addressed	Status (resolved/ongoing)
12/4/23	Parking system financials	M:Baller S:Host	12/4/523	In progress

11/27/23	Process for civic projects/buildings	Baller	11/27/23	In progress
11/13/23	Historic Preservation		11/13/23	In progress
11/13/23	Next Community Integration	Haig	11/13/23	In progress
11/13/23	Bistros	M: Baller S: Host	11/13/23	In progress
10/2/23	Roberts Rules, OMA	McLain	10/2/23 Upcoming Workshop	In progress
10/2/23	Implementation of crosswalk standards	M: Baller S: Boutros	10/2/23 11/13/23	In progress
9/18/23	Infrastructure, Flooding Abatement	M: Host S: Baller	9/18/23 10/2/23	In progress
9/18/23	Remediation Strategies for Rodents and Vermin	M: Haig S: Host	9/18/23 10/2/23 11/27/23	In progress
8/28/23	City water and sewer system	M: McLain S: Host	8/28/23 9/11/23	In progress
6/5/23	Discuss unimproved streets and infrastructure	M: Host S: McLain	10/2/23 Workshop	In progress
5/8/23	Woodward noise	M: Host S: McLain	5/8/23 6/5/23	In progress
2/27/23	Bench and Little Library for Pat Andrews	M: Host S: McLain	3/13/23 5/8/23	In progress
8/15/22	Speed bumps & traffic mitigation efforts	Baller	8/29/22 8/14/23 11/13/23	In progress

Resolved

Meeting	Topic	Commissioner	Status
11/13/23	Citizen Commission Interaction	Host	Resolved, no further action
11/14/22	Renters Rights	M: Host	Resolved
12/5/22	Mayor/MPT Selection	McLain	Resolved

4/11/22	BBCC - Mental Health Workshop - More time to talk	M: Baller S: Haig	Resolved
5/9/22	Pickleball	Baller, no vote	Installed on 6-3-22
1/24/22	Social Districts	M: Schafer S: Boutros	No formal action taken by the Commission
5/23/22	Commission Meeting Start Time	Baller	No changes for now
8/15/22	Birmingham Country Club	M: Host S: Haig	Resolved, letter sent
9/12/22	Banner	M: Baller S: Host	Completed
12/5/22	Lighting to sustainability board	Haig	To be explored by Sustainability Board
6/13/22	Sustainability Board	M: Schafer S: Host	Resolved
1/10/22	Food Trucks	M: Host S: Schafer	Staff monitoring
4/25/22	Improvements in Information Provision and Methodology	M: Haig S: Baller	Resolved
3/13/22	Community foundation (review former letter from Kucharek)	Baller	Resolved
3/28/22	City Manager Selection Process	M: Host S: Boutros	Resolved
1/9/23	Ad Hoc Senior Services Committee	M: Baller S: Longe	Resolved
1/10/22	Commissioner Conduct	No vote	Resolved
8/28/23	Add an Alternate to Ad Hoc Aging in Place Committee	M: McLain S: Host	Resolved
9/18/23	Short Term Rentals	M: Host S: Boutros	Resolved
8/28/23	Biodiversity	M: Haig S: Host	Resolved
5/8/23	Parking operations	M: Baller S: Host	Resolved

1/10/22	Leaf blowers	M:Baller S:Host	Resolved
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Department of Public Services

EV Update

The City of Birmingham recently purchased a Ford Lighting for the Parking Group. The City is pleased that not only does this support our Green Initiatives for the City, but also saved the City over \$10,000.00 in costs associated with the new vehicle that will be used to help with maintenance of the parking decks.

Booth Park Entry Plaza & Trail Improvements

The Request for Proposals for Design Services for this project is anticipated to be posted to MITN in early January, with a due date of mid-February. Further updates are forthcoming.

Ice Arena News

Our new electric edger that replaced our old gas powered edger (ordered in early 2023 and recently delivered) is awesome! The edger is a tool used for ice maintenance such as removing ice buildup along the rink boards. No more exhaust fumes and so very quiet! We plan to share a video soon.

Birmingham Unified (BU) High School Hockey team

Birmingham Unified (BU) High School Hockey team participated in Toys for Tots Midland on December 9, 2023. They collected toys at The Birmingham Ice Sports Arena after their hockey game, which they won 8-1.

Engineering Department

2023 Construction Update

The 2023 Sewer Rehabilitation Project will continue through the winter months. This project includes cleaning and televising sewers, and sewer lining at various locations throughout the City.

Illicit Discharge to Rouge River

The City has determined the source of the sanitary sewer discharge and a letter was mailed to the property owner on Wednesday, December 6, 2023. The property has 14 days to contact the City to discuss and review their plan to disconnect.

We have been keeping the Michigan Department of Environment, Great Lakes, and Energy (EGLE) aware of the City's progress in finding the source.

Lead Service Replacement Program

The City recently mailed a notification to property owners with known lead water services regarding scheduling the replacement of their water service for free. Notification recipients are instructed to follow the steps in the letter to schedule your water service replacement.

Affected property owners will receive information about these projects. For more information regarding these projects or programs, please contact the Engineering Department at (248) 530-1840.

Water Service Verification Program

The City has a deadline of October 2024 to submit 364 water service material information reports to the Michigan Department of Environment, Great Lakes, and Energy (EGLE). The City randomly selected 364 water services to verify water service material for this ELGE requirement. A letter was sent recently to property owners who still need to verify the "In-Home/Business" water service line material. Property

owners can schedule an inspection by an authorized City representative at (248) 303-2292 or determine the in-home/business material themselves with the steps provided in the property owner letter.

Fire Department

Congratulations, Brendt Frederick

Congratulations to our own Brendt Frederick, who earned Fire Academy Instructor of the Year at Macomb Community College. Quite an accomplishment! We are very proud of your hard work and dedication in training future fire service candidates.



Active Assailant Response and Recovery Plan

On December 6, 2023, several City department heads, assistants, as well as the City Manager participated in a tabletop exercise focused on an incident involving our active assailant response and recovery plan. The exercise was performed to test the preparedness of the City and to improve the City's Emergency Operations Plan (EOP). The plan will be reviewed and training will be conducted annually with the continued hope it never has to be applied.

1924 American LaFrance Fire Engine

The department's 1924 American LaFrance Fire Engine just received a newly upholstered seat. The seat was restored to original specification from 100 years ago when Birmingham's first water pumping fire truck was delivered in 1924. The department will continue to maintain this beautiful part of the City's history for years to come.



MOVEMBER

This year many members of the Fire Department participated in *MOVEMBER* which is a movement to raise awareness for men's health issues such as prostate cancer, testicular cancer and men's suicide. The members all donated money in support of the cause and grew mustaches. Some firefighters could pull off the look...others not so much. 😊😊



Human Resources

New Hires

The City of Birmingham extends warm congratulations to our newly hired employees from November 13, 2023 to December 12, 2023. Their skills, expertise, and enthusiasm are a valuable addition to our staff. We welcome them to our team!

Department	Name	Position	Type
Parking	Anne Jay	Parking Operations	Full Time
Library	Adam Redmond	IT Coordinator	Full Time
Clerks	Sydney Pereira	Intern	Temporary
Police	Kevin Druzinski	Parking Enforcement	Part Time (AFSCME)
Engineering	Ali AlAbbas	Construction Engineer	Full Time
Community Dev	Ireland Crippen	Support Staff A	Full Time (AFSCME)
Library	Joshua Campeau	Librarian	Full Time
Community Dev	Mariah Trovato	Support Staff A	Full Time (AFSCME)
Library	Austin Dewalt	IT Assistant	Part Time
Library	Becky Nelson	Sub. Librarian	Part Time

December Hiring Anniversaries

The City of Birmingham celebrated the hiring anniversaries of several employees. We extend our heartfelt appreciation for their exceptional service and unwavering dedication. Their contributions are deeply valued and recognized.

Years Of Service	Employee	Department	Position
1	Emma Moskovitz	Library	Library Page
1	Marc Schwartz	Fire	Fire / AEMT
1	Jennifer Rohrer Walbert	Library	Library Reference Assistant
2	Leah Blizinski	Community Dev	City Planner
3	Bryan Grulke	DPS	Ssw Operator
4	Scott Zielinski	DPS	Director Of Public Services
4	Nicholas Krumm	Police	Police Officer
4	Christopher Bukoski	Police	Police Officer
6	Kimberly Wickenheiser	Finance	Assistant Finance Director
8	Nicholas Slanda	Fire	Fire / AEMT
9	Jeffrey Rushing	DPS	SSWSpecialist
9	Mary Macmillan	Library	Library Assistant II
1	Jennifer Rohrer Walbert	Library	Library Reference Assistant

Employment Opportunities

The City is currently accepting applications for the following positions. To submit an application or for more information go to www.bhamgov.org/jobs.

Department	Position	Type	Application Closing
Parking	Lead Attendant	Full Time	12/20/2023
Parking	Administrative Assistant	Full Time	12/19/2023
DPS	SSW Assistant Foreman	Full Time (Teamsters)	12/30/2023
Building	Plumbing Inspector	Full Time	Until Filled
DPS	Fleet Mechanic	Full Time (Teamsters)	Until Filled

Planning Department

Planning Board

A tentative Planning Board list of scheduled and/or recently completed items is provided below:

1. The Birmingham Plan 2040 - Study Session (Took place on December 13, 2023.)
2. Triangle District Mixed-Use Standards – Study Session (January 10, 2024)
3. 720 S. Adams – Community Impact Study & Preliminary Site Plan Review (January 24, 2024)

Multi-Modal Transportation Board

The Multi-Modal Transportation Board recently reviewed and completed recommendations of capital improvements for Arlington and Shirley, as well as Oakland and the intersection with N. Old Woodward. These items will go before the City Commission on January 8, 2024.

Public Arts Board

The Public Arts Board has reviewed two new sculpture donations for the City. One sculpture is a golfer silhouette by Martin Van Almin which is recommended for Lincoln Hills as a thank you to staff for working during COVID-19 shutdowns. The other is a 20' metallic sculpture by James Kaye which is recommended to go beside the bench in the green space along W. Maple, just west of The Birmingham Museum across from Martha Baldwin Park. Kaye is the artist of the wall art on the north side of the Daxton. Both items will be reviewed by the Parks and Recreation Board in January prior to appearing before the City Commission for formal acceptance.

Sustainability

The Planning Division recently completed their first SolSmart assessment with the National League of Cities. As it states on the SolSmart website, the SolSmart program has two key parts. First, the program provides no-cost technical assistance to help local governments follow national best practices to expand solar energy use in their jurisdictions. Second, it recognizes and celebrates these communities with SolSmart designations of Platinum, Gold, Silver, and Bronze. As the Planning Division works through this process, the City Commission should expect to see updates periodically, as well as potential action items that will require City Commission approval.

In addition to SolSmart and all of the other sustainability activities that the Planning Division is engaged in, the Planning Division would like to announce that it will be awarded a fellow through the Catalyst Communities program (EGLE). The fellowship opportunity is only available to communities in the Catalyst Leadership Circle (CLC), which is a group of local governments that are paving the path toward increased sustainability across the State. Communities that receive a silver or gold designation in the Michigan Green Communities Challenge can participate in the CLC. Perks of participation include access to bi-monthly peer-sharing convening with other local leaders, regular email updates on relevant resources and opportunities, and eligibility to host a CLC Fellow that can assist with decarbonization projects. The fellow will work through the summer of 2024, and will be supported by the Graham Sustainability Institute at the University of Michigan. Project details and timelines will continue to be reported to the City Commission, and any finished products will ultimately be reviewed and approved by the Commission.

Police Department

Organized Retail Fraud Thefts at Lululemon

On February 12, 2023, and again on November 26, 2023, Lululemon located at 101 South Old Woodward reported a retail fraud after incidents occurred. Each time the theft involved multiple females who

entered the store for approximately two minutes and ran out carrying armloads of stolen merchandise. One main suspect was identified by Birmingham detectives, the Oakland County Sheriff's Department and a member of the Lululemon Organized Retail Crime Unit. This main suspect has been identified as the ringleader committing forty-eight (48) thefts at multiple Lululemon and Ulta locations.

Birmingham detectives, working in cooperation with detectives from Oakland County, Troy SIU, Grosse Pointe, and the Attorney General's office, conducted surveillance and obtained additional intelligence. A 9-count felony warrant was obtained for the suspect. The warrant included one count of conducting criminal enterprises, a 20-year felony, and eight counts of retail fraud first-degree, a five-year felony.

Update on Woodward Noise

The Birmingham Police Department continues to work to address the vehicle noise on Woodward Avenue. The existing State law (MCL257.707c) has been the topic of many discussions regarding the restrictive and conflicting language within it. The Police Department has had several conversations with our State elected officials (Sen. McMorrow and Rep. Price) over the last year regarding the State statute and proposed changes to help law enforcement throughout the State address this issue. Additionally, on November 6, 2023, Birmingham Police were requested to attend a meeting in Bloomfield Hills with their elected official (Rep. Steele) to discuss this topic and to help gain their support in sponsoring changes to the existing State law. Also in November, the Police Department contacted the Michigan Association of Chiefs of Police (MACP) and held a discussion with their administrative team and legislative chair to review this issue. The MACP has offered their full support in lobbying for change once an agreeable bill is proposed.

On December 6, 2023, the Police Department again met with Sen. McMorrow's assistant, Emily Collins and encouraged her office to propose a change to this State law and advised they will have the full backing of the MACP. Also, on December 7, 2023, the Police Department had a similar conversation with Rep. Price.

The Police Department continues to push for legislative changes that can help address this ongoing issue and has attempted to deal with the problem in a variety of ways. In 2023, the Police Department worked to obtain signed letters of "power of attorney" for many of the privately owned parking lots. Along the Woodward corridor, restricted parking hours in the public spaces are being implemented to address the congregating that takes place. Once these restricted parking signs are installed they will be evaluated to monitor their effectiveness and then will be taken to the Multi-Modal Transportation Board for review. We also obtained grant funding from the Office of Highway Safety Planning (OHSP) to cover the costs of placing additional patrols on Woodward.

While we are entering winter, we know it won't be long before the snow melts and cruising returns so the Police Department will continue to push our elected officials to take action while reviewing alternatives to address the issue.

Home Invasions in Oakland County

The Birmingham Police Department has agreed to participate in a Task Force in Oakland County to address the recent increase in home invasions. Since September, it is estimated that over 30 home invasions of high-end homes have taken place in Oakland County. The City of Birmingham has taken one report that is linked to these cases. Through the investigations of multiple agencies, including the FBI and the Border Patrol, the suspects have been identified as part of the South American Theft Group (SATG), a criminal organization out of Chile and Columbia. These suspects have been observed to work in teams of 3 to 6 individuals and as young as 14 years of age.

A county-wide task force has been created to assist in the investigations and arrest of these suspects. All agencies that are participating in this task force have agreed to assist each other during this

investigation and share available resources that can help lead to the arrest and prosecution of these criminals.

Birmingham Police Officers Benevolent Association Adopts a Family

The Birmingham Police Officers Benevolent Association is selling mini stuffed Maples, replicas of our police therapy dog Maple. Proceeds from these sales are to benefit a family in need this holiday season. Since December, the Benevolent Association has sold approximately 80 stuffed animal Maples. The association made contact with several churches and the Birmingham School District to identify a family in need that could benefit from this program. While one family has been identified, the Benevolent Association continues to look for a potential second family to help as sales of the mini Maples will continue through December 21, 2023.

Those who would like to support this cause may purchase a mini Maple for \$20.00 at the Police Department lobby during normal business hours.

Parking Systems Update

Operations

On November 27, 2023, the City notified SP+ regarding the plan to bring parking operations in-house. The transition will occur starting on January 8, 2024. As part of the transition, all monthly parkers with the City will receive invoices from Zephire, a new monthly parking software system that the City will use to manage monthly parking accounts.

The City is in the process of hiring staff to operate the parking system. Bringing the parking operation in-house will give the parking operation the ability to be more flexible, expedite changes, and lead to a more efficient operation, improving the experience for those parking with the City.

EV Charging

The City submitted an Invitation to Bid (ITB) for the installation and operation of EV charging stations on City owned property. Submissions were due on December 1, 2023. There were three respondents to the ITB. It is anticipated EV charging stations will be installed in Q1 of 2024.

The City just purchased its first fully electric vehicle, a Ford F-150 Lightning. The new vehicle is assigned to the Parking Department and will replace the truck that SP+ has been using for parking operations.

Free Parking Report

Download a [report showing a two-month snapshot](#) of the total number of cars in the parking decks, broken down by how many paid to park versus how many parked for two hours or less, which is free in all decks.

Monthly Occupancy

Download an [occupancy report for the month of November](#). This report shows a breakdown of both transient (daily) and monthly parkers at each garage and how full each garage is on average by hour for the month.

Overall Occupancy

NOVEMBER AVG CAPACITY	
Chester Garage (880)	11.00%
Old Woodward (745)	26.00%
Park Garage (811)	20.00%
Peabody Garage (437)	39.00%
Pierce Garage (706)	44.00%

Future Agenda Items

Download a summary of [future agenda items](#).

Future Workshop Items

Download a summary of [future workshop items](#).



MEMORANDUM

Planning Division

DATE: December 12, 2023

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Public Hearing for 377 Hamilton Row – Birmingham Sushi Cafe – Special Land Use Permit, Final Site Plan & Design Review

INTRODUCTION:

The applicant has submitted a Special Land Use Permit, Final Site Plan and Design Review application for an existing food and drink establishment to begin serving alcoholic liquors for on premise consumption as a bistro in Downtown Birmingham. The subject site is located on the north side of Hamilton Row, west of Park St.

The applicant is proposing to continue the existing restaurant concept, Birmingham Sushi Cafe, with no change to the existing building and site. The applicant had formerly received a bistro license from the City of Birmingham, which was surrendered in 2021 due to issues with a change of ownership in the restaurant.

BACKGROUND:

On November 28, 2022 ([Agenda](#) – [Minutes](#)), the City Commission approved an initial bistro screening application for Birmingham Sushi and directed them to proceed with a Special Land Use Permit and Final Site Plan application with the Planning Board.

On November 8, 2023 ([Agenda](#)), the Planning Board moved to recommend approval to the City Commission of the Special Land Use Permit, Final Site Plan and Design Review for 377 Hamilton Row – Birmingham Sushi Cafe – with no conditions.

LEGAL REVIEW:

The City Attorney has reviewed this request and has no objections as to form and content.

FISCAL IMPACT:

There are no fiscal impacts for this agenda item.

SUSTAINABILITY:

Not Applicable.

PUBLIC COMMUNICATIONS:

As required for Special Land Use Permit and Final Site Plan Reviews, a legal ad was placed in a newspaper of local circulation to advertise the nature of the request in advance of the November 8, 2023 Planning Board meeting, and notices were sent out to all property owners and tenants within 300 ft. of the property. In addition, a second round of notices was sent out to advertise the public hearing at the City Commission meeting on December 18, 2023.

SUMMARY:

The Planning Division requests that the City Commission consider the Special Land Use Permit, Final Site Plan and Design Review application for 377 Hamilton Row – Birmingham Sushi Cafe. In addition, to consider the transfer of the Class C license from D&D Hospitality, LLC. to Kim Fam Birmingham Sushi, Inc.

ATTACHMENTS:

Please see attached the following documents:

- Special Land Use Permit Resolution
- Special Land Use Permit Contract
- Planning Board Report
- Current Site/Design Plans
- Liquor License Investigation Report (Police Department)
- Initial Bistro Screening Application

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to APPROVE the Special Land Use Permit, Final Site Plan and Design Review application for 377 Hamilton Row – Birmingham Sushi Cafe.

AND

Make a motion adopting a resolution to authorize the City Clerk to complete the Local Approval Notice at the request of Kim Fam Birmingham Sushi, Inc., and to approve the transfer of the Class C Liquor License from D&D Hospitality, LLC. to Kim Fam Birmingham Sushi, Inc. with a new SDM Liquor License, Sunday Sales permit (AM and PM) and Outdoor Service area on public property to Kim Fam Birmingham Sushi, Inc. that will be located at 377 Hamilton Row, Birmingham, Oakland County, MI.

**Birmingham Sushi Cafe
377 Hamilton Row
Special Land Use Permit 2023**

WHEREAS, A Special Land Use Permit application was filed in September 2023 for approval of an existing food and drink establishment serving alcoholic liquors for on premise consumption as a bistro at 377 Hamilton Row;

WHEREAS, The land for which the Special Land Use Permit is sought is located on the north side of Hamilton Row, west of Park St.;

WHEREAS, The land is zoned B4 (Business-Residential) and D4 (Downtown Overlay), which permits alcoholic beverage sales for on premise consumption with a Special Land Use Permit;

WHEREAS, Article 7, section 7.34 of Chapter 126, Zoning requires a Special Land Use Permit to be considered and acted upon by the Birmingham City Commission, after receiving recommendations on the site plan and design from the Planning Board for the proposed Special Land Use;

WHEREAS, The Planning Board on November 8, 2023 reviewed the application for a Special Land Use Permit, Final Site Plan and Design Review and recommended approval to the City Commission with no conditions:

WHEREAS, The applicant has complied with the conditions of approval required by all City Departments;

WHEREAS, The Birmingham City Commission has conducted a public hearing on December 18, 2023, and has reviewed Birmingham Sushi Café's Special Land Use Permit application and the standards for such review as set forth in Article 7, section 7.36 of Chapter 126, Zoning, of the City Code;

NOW, THEREFORE, BE IT RESOLVED, The Birmingham City Commission finds the standards imposed under the City Code have been met, subject to the conditions below, and that Birmingham Sushi Café's application for a Special Land Use Permit, Final Site Plan and Design Review at 377 Hamilton Row is hereby approved;

BE IT FURTHER RESOLVED, That the City Commission determines that to ensure continued compliance with Code standards and to protect public health, safety, and welfare, this Special Land Use Permit is granted subject to the following conditions:

1. Birmingham Sushi Café shall abide by all provisions of the Birmingham City Code;
2. Birmingham Sushi Café shall comply with the conditions of approval assigned by the City Commission; and
3. The Special Land Use Permit may be canceled by the City Commission upon finding that the continued use is not in the public interest.

BE IT FURTHER RESOLVED, That failure to comply with any of the above conditions shall result in termination of the Special Land Use Permit.

BE IT FURTHER RESOLVED, Except as herein specifically provided, Birmingham Sushi Café and its heirs, successors, and assigns shall be bound by all ordinances of the City of Birmingham in effect at the time of the issuance of this permit, and as they may be subsequently amended. Failure of Birmingham Sushi Café to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit.

BE FURTHER RESOLVED that Birmingham Sushi Café is recommended for approval of an existing food and drink establishment serving alcoholic liquors for on premise consumption in Downtown Birmingham, above all others, subject to final inspection.

I, Alexandria Bingham, City Clerk of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on December 18, 2023.

Alexandria Bingham
City Clerk



MEMORANDUM

Planning Division

DATE: November 8, 2023

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: 377 Hamilton Row – Birmingham Sushi — Special Land Use Permit (SLUP), Final Site Plan & Design Review

The applicant has submitted a Special Land Use Permit, Final Site Plan and Design Review application for an existing food and drink establishment to serve alcoholic liquors for on premise consumption as a bistro in Downtown Birmingham. The subject site is located on the north side of Hamilton Row, just west of Park St.

The applicant is proposing to continue the existing restaurant concept, Birmingham Sushi, with no change to the existing building and site. The applicant had formerly received a Bistro license from the City of Birmingham, which was surrendered in 2021 due to issues with a change of ownership in the restaurant.

On November 28, 2022 ([Agenda](#) – [Minutes](#)), the City Commission approved an initial bistro screening application for Birmingham Sushi and directed them to proceed with a Special Land Use Permit and Final Site Plan application with the Planning Board.

The Birmingham Code of Ordinances states that a contract for transfer and a Special Land Use Permit are required for all licenses approved under Chapter 10 – Alcoholic Liquors. The licensee must comply with all provisions of the contract and Special Land Use Permit, and any amendments thereto as a condition of granting of a requested transfer. Accordingly, the applicant must obtain a recommendation from the Planning Board on the Special Land Use and Final Site Plan/Design Review application, which is then reviewed for final consideration by the City Commission.

1.0 Land Use and Zoning

- 1.1 Existing Land Use – The existing site is a single story commercial building with a food and drink establishment tenant, Birmingham Sushi.
- 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	Public Property	Commercial	Commercial	Commercial
Existing Zoning District	PP (Public Property)	B4 (Business-Residential)	B4 (Business-Residential)	B4 (Business-Residential)
Overlay Zoning District	N/A	D4	D4	D4

- 1.4 Bistro Requirements – The applicant is applying to regain their status as a bistro use, which is permitted in the D4 (Downtown Overlay) zoning district with the following conditions:
- a) No direct connect additional bar permit is allowed and the maximum seating at a bar cannot exceed 10 seats;
 - b) Alcohol is served only to seated patrons, except those standing in a defined bar area;
 - c) No dance area is provided;
 - d) Only low key entertainment is permitted;
 - e) Bistros must have tables located within the storefront space lining any street, or pedestrian passage;
 - f) All outdoor dining facilities are subject to the requirements located in Article 4, Section 4.44 of this Ordinance and Chapter 98 of the Birmingham Code of Ordinances;
 - g) A minimum of 70% glazing must be provided along building facades facing a street or pedestrian passage between 1 foot and 8 feet in height;
 - h) All bistro owners must execute a contract with the City outlining the details of the operation of the bistro; and
 - i) Outdoor dining must be provided, weather permitting, along an adjacent street or passage during the months of May through October each year.

Outdoor dining is not permitted past 12:00 a.m. If there is not sufficient space to permit such dining on the street or passage adjacent to the bistro, alternative outdoor dining facility placement may be considered by the Planning Board.

The applicant appears to meet the bistro requirements above, and is not proposing to alter the concept or layout of the restaurant or outdoor dining platform.

2.0 Setback and Height Requirements

There are no additions or modifications being proposed to the current building or its setbacks, height or area.

3.0 Screening and Landscaping

3.1 Dumpster Screening – The applicant does not appear to be making any changes to the dumpster conditions on site. However, it appears as though there is a dumpster and grease disposal container at the rear of the building along the alley which is unscreened. Article 4, Section 4.54 of the Zoning Ordinance requires trash receptacles to be screened by a 6 ft. masonry screenwall with wood gates. Although the condition is considered pre-existing legal nonconforming, **the Planning Board may wish to consider requiring the applicant to screen the waste receptacles.**

3.2 Parking Lot Screening – There is no off-street parking facility associated with Birmingham Sushi.

3.3 Mechanical Equipment Screening – There are no changes proposed to the screening of mechanical equipment on the site. There appears to be 3 existing rooftop units above the restaurant, as well as some ductwork and exhaust fans. This condition persists across the entire multi-tenant commercial building that stretches the majority of the block between Ferndale and Park St.

Article 4, Section 4.54 of the Zoning Ordinance requires rooftop mechanical and other equipment shall be obscured by a screenwall composed of materials compatible with the building to provide an effective permanent visual barrier. Although the condition is considered pre-existing legal nonconforming, **the Planning Board may wish to consider requiring the applicant to provide screening for the existing rooftop units.**



3.4 Landscaping – No landscaping is proposed or required for the subject site.

3.5 Streetscape – There are no new streetscape items proposed as a part of this Special Land Use Permit Amendment and Final Site Plan/Design Review application.

4.0 Parking, Loading and Circulation

4.1 Parking – The subject site does not contain an off-street parking facility. In addition, the subject site is within the former Parking Assessment District. Thus, no parking is required to be provided for the commercial use.

4.2 Loading – No loading spaces are required or proposed as a part of the Special Land Use, Final Site Plan and Design Review application submitted.

4.3 Vehicular Circulation and Access – Vehicular circulation and access is not proposed to change.

4.4 Pedestrian Circulation and Access – Pedestrian circulation and access is not proposed to change.

5.0 Lighting

There are no new light fixtures proposed as a part of the Special Land Use, Final Site Plan and Design Review application submitted.

6.0 Design Review

As noted above, the applicant is not proposing any changes to the building and/or site. However, because the site plan is being considered, a review of the existing outdoor dining platform is provided below.

Outdoor Dining: The applicant is proposing to maintain an existing outdoor dining platform located within the Hamilton Row right-of-way, which contains 24 seats. The platform is designed to carry over the curb into the furnishing zone of the streetscape. The recently adopted Outdoor Dining Standards can be found in [Article 4, Section 4.44](#) of the Zoning Ordinance, and [Chapter 98, Article II, Section 98-38](#) of the Birmingham Code of Ordinances.

The existing outdoor dining platform is constructed of composite decking with 42 in. railings, aluminum tables and chairs, four umbrellas, and a trash receptacle. There are no enclosures or windbreaks proposed as a part of the platform. In terms of platform design and its extension into the furnishing zone, the Zoning Ordinance requires outdoor dining platforms within the adjacent street or parking space(s) to be designed to be *flush with the curb, and may not extend beyond the curb into the furnishing zone except to accommodate accessibility requirements*. The existing platform does not meet this requirement. Although the condition is considered pre-existing legal nonconforming, **the Planning Board may wish to require the applicant to redesign the outdoor dining platform to conform with the current outdoor dining standards.**

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 Approval Criteria

In accordance with Article 7, section 7.27 of the Zoning Ordinance, the proposed plans for development must meet the following conditions:

- (1) The location, size and height of the building, walls and fences shall be such that there is adequate landscaped open space so as to provide light, air and access to the persons occupying the structure.

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

In addition, Article 7, Section 7.26 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.
- (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.
- (3) The use is consistent with the public health, safety and welfare of the city.
- (4) The use is in compliance with all other requirements of this Zoning Ordinance.
- (5) The use will not be injurious to the surrounding neighborhood.
- (6) The use is in compliance with state and federal statutes.

9.0 Recommendation

Based on a review of the site plan submitted, the Planning Division recommends that the Planning Board recommend **APPROVAL** of the Special Land Use and Final Site Plan/Design Review application for 377 Hamilton Row – Birmingham Sushi – subject to the following condition:

1. The applicant must provide screening for all waste receptacles in accordance with Article 4, Section 4.54 of the Zoning Ordinance; and
2. The applicant must comply with the requests of all City Departments.

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

Motion to recommend for **APPROVAL** the Final Site Plan & Design Review for 377 Hamilton Row – Birmingham Sushi – subject to the following conditions:

1. The applicant must provide screening for all waste receptacles in accordance with Article 4, Section 4.54 of the Zoning Ordinance; and
2. The applicant must comply with the requests of all City Departments.

OR

Motion to **POSTPONE** the Final Site Plan & Design Review for 377 Hamilton Row – Birmingham Sushi – 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 377 Hamilton Row – Birmingham Sushi – for the following reasons:

1. _____
2. _____
3. _____

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

Motion to recommend for **APPROVAL** to the City Commission the Special Land Use Permit for 377 Hamilton Row – Birmingham Sushi – subject to the conditions of Final Site Plan & Design Review approval.

OR

Motion to **POSTPONE** the Special Land Use Permit 377 Hamilton Row – Birmingham Sushi – pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to recommend for **DENIAL** to the City Commission the Special Land Use Permit for 377 Hamilton Row – Birmingham Sushi – for the following reasons:

1. _____

2. _____
3. _____

Birmingham Sushi Cafe

Outdoor Cafe

377 Hamilton Row
Birmingham, Michigan

Scope of Work:

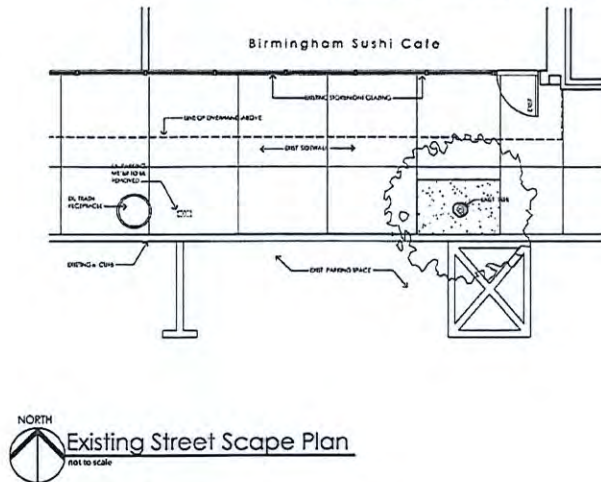
1. CONSTRUCTION OF NEW COMPOSITE DECK WITH METAL GUARD RAILING SYSTEM
2. PROVIDE 24 OUT DOOR SEATS (SEASONAL)
3. TEMPORARILY REMOVE PARKING METER



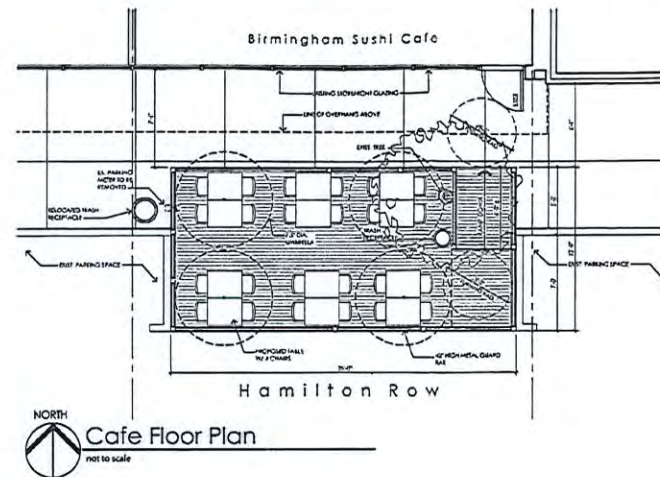
Existing Front Elevation Along Hamilton Row



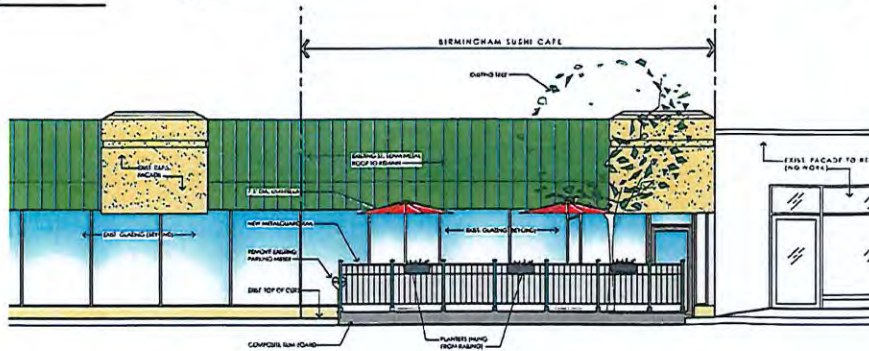
NORTH
Location Map
Scale: None



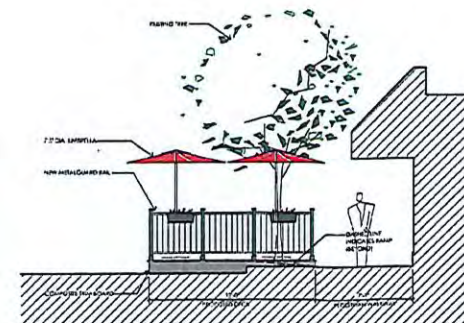
NORTH
Existing Street Scape Plan
NOT TO SCALE



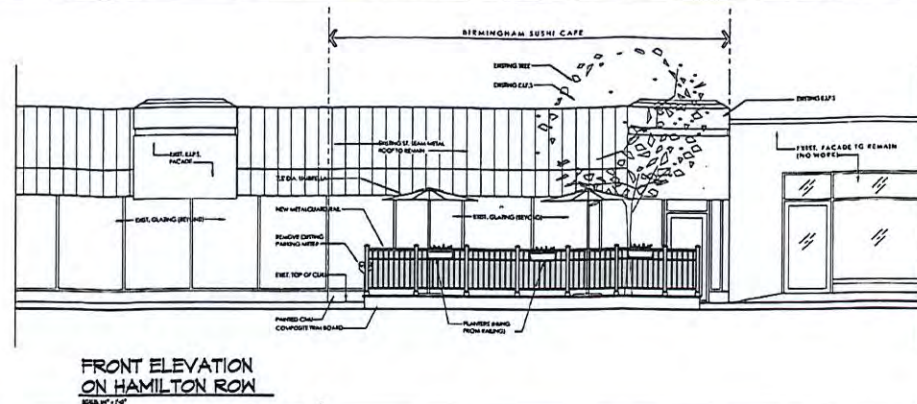
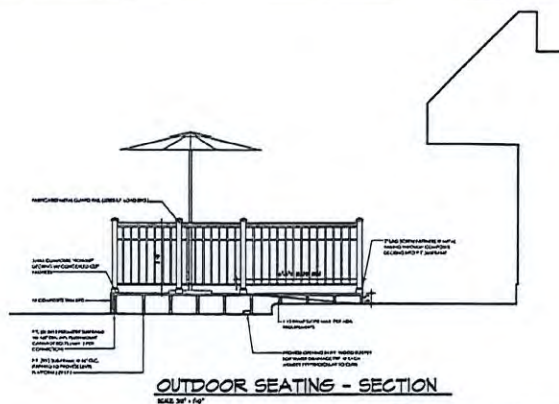
NORTH
Cafe Floor Plan
NOT TO SCALE



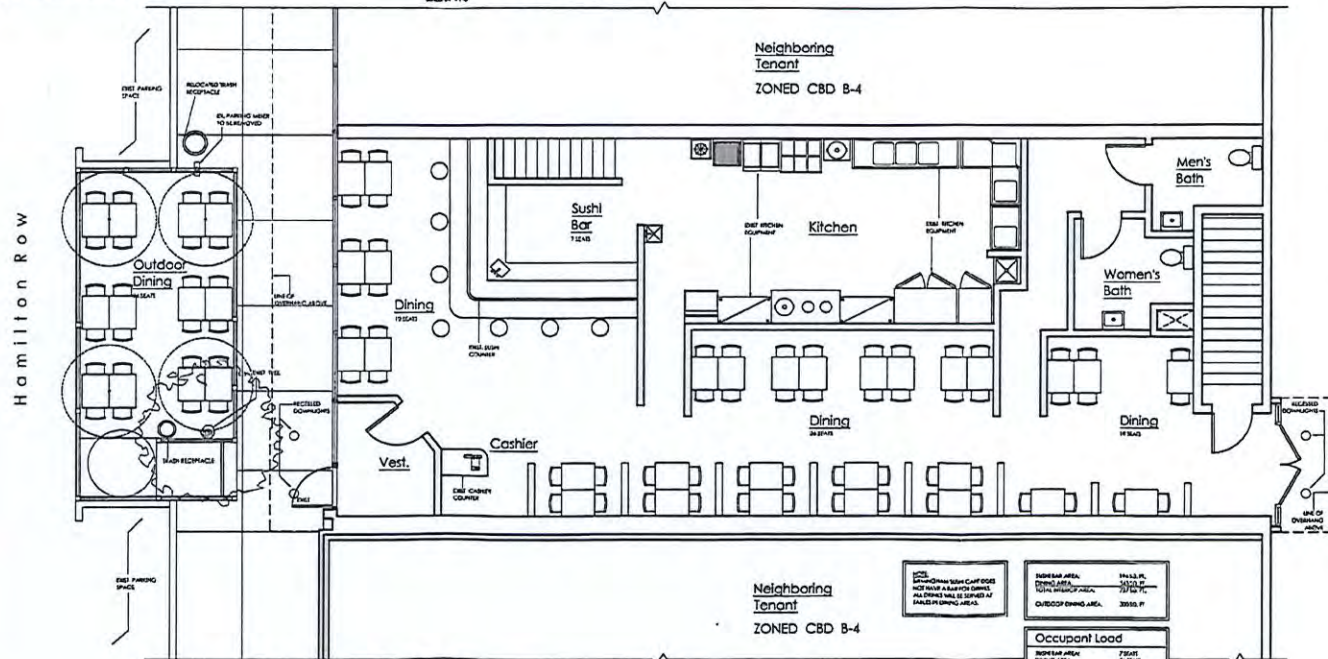
Front Elevation (Hamilton)
not to scale



Side Elevation
not to scale



LEGAL DESCRIPTION
THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 10 NORTH, RANGE 10 EAST, CITY OF BIRMINGHAM, SHELBY COUNTY, ALABAMA, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 34 OF PLATS, PAGE 8 OF SHELBY COUNTY RECORDS.



FLOOR PLAN & OUTDOOR SEATING
SCALE 3/4" = 1'-0"

Occupant Load
DINING AREA: 7500 SF
KITCHEN: 1500 SF
BAR: 1000 SF
RESTROOMS: 500 SF
TOTAL: 10500 SF
OCCUPANT LOAD: 105

ARCHITECT
BIRMINGHAM SUSHI CAFE
11111 11TH AVENUE, BIRMINGHAM, ALABAMA 35203
PHONE: 205-988-1111

BIRMINGHAM SUSHI CAFE

PLAN & ELEVATIONS

SHEET NO.
A-101



Metal Trash Rec.

Make: Fair Weather
Model: TR-8
Color: Powder Coat Finish - Black



Aluminum Bistro Table

Classic 24"x28" Folding Table
Make: EMU
Model: EM-907
Legs: Tubular Steel
Table Top: Metal w/ Design Perforation



Aluminum Bistro Chair

Indoor/Outdoor Arm Chair

Material: Aluminum and Wicker



Wood Bistro Umbrella

7.5 Wood Tilt Patio Umbrella
WoodFramed
Canvas Color: sunbrella - red



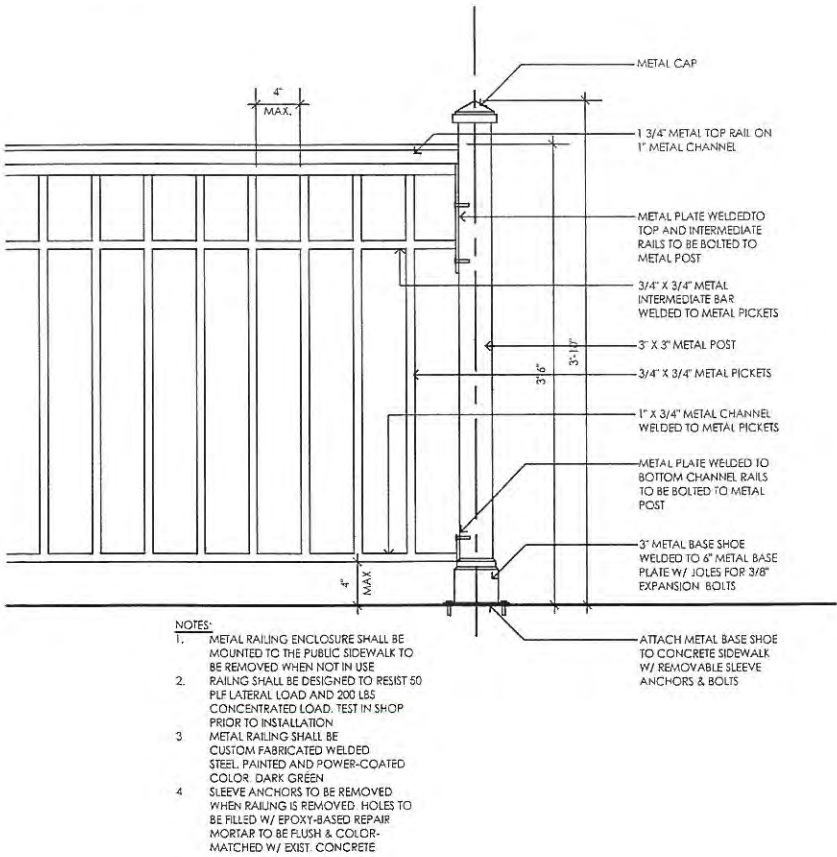
Trex Decking Material

Make: Trex Decking
Color: Espresso



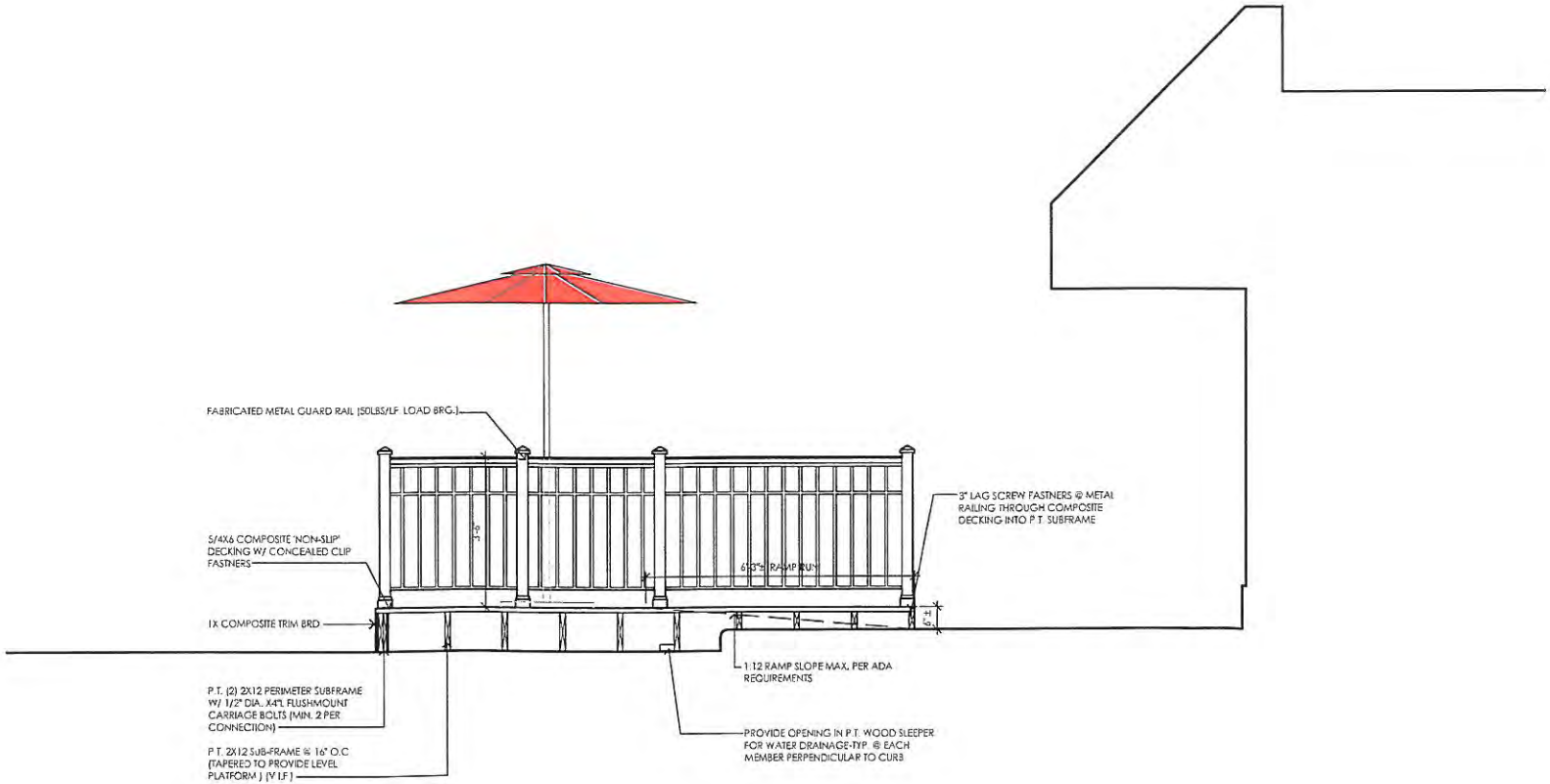
Metal Railing Color

Color: Dark Green



Guard Rail Detail

not to scale



Section at Deck

not to scale



Birmingham Sushi Cafe

Hamilton Row

© 2021 Google

8A

Google Earth

Imagery Date: 3/14/2020 42°32'51.46" N 83°12'47.18" W elev 0 ft eye alt 338 ft

1985



MEMORANDUM
Police Department

DATE: November 7th, 2023

TO: Jana L. Ecker, City Manager

FROM: Chris Koch, Investigative Captain

APPROVED BY: Scott A. Grewe, Chief of Police

SUBJECT: Request to transfer ownership and location of Class C Liquor License and SDM License with Sunday Sales (AM and PM) with Outdoor Service area permits from D&D Hospitality, LLC (Currently in escrow at 51635 W. 10 Mile Rd., Lyon Township, Oakland County, Michigan, Business Id. No 0269297) to Kim Fam Birmingham Sushi Inc., to be located at 377 Hamilton Row, Birmingham, Oakland County, Michigan.

INTRODUCTION:

The police department has received a request from the Law Offices of Adkison, Need, Allen, & Rentrop regarding the request to transfer ownership and location of a Class C Liquor License and SDM License with Sunday Sales (AM and PM) with Outdoor Service area permits from D&D Hospitality, LLC (Currently in escrow at 51635. 10 Mile Rd., Lyon Township, Oakland County, Michigan, Business Id. No 0269297) to Kim Fam Birmingham Sushi Inc., to be located at 377 Hamilton Row, Birmingham, Oakland County, Michigan.

Kim Fam Birmingham Sushi, Inc.'s current MLCC application status indicates that is has been submitted and is pending intake review. Kim Fam Birmingham Sushi, Inc. has paid the initial application fee of \$1500.00 for a business that serves alcoholic beverages for consumption on the premises per section 10.81 of the Birmingham City Code.

<u>Member</u>	<u>Percent of Interest</u>
Britney Kim	100%

BACKGROUND:

Kim Fam Birmingham Sushi, Inc. has entered into an agreement to operate as Birmingham Sushi located at 377 Hamilton Row, Birmingham, Oakland County MI. Kim Fam Birmingham Sushi, Inc. has applied to acquire an Oakland County transferable Class C liquor license from D&D Hospitality, LLC 51635 W. 10 Mile Rd., Lyon Township, Oakland County Michigan. Kim Fam Birmingham Sushi, Inc. has already applied to obtain a Special Land Use Permit (SLUP) from the City. Kim Fam

Birmingham Sushi, Inc. will have a combined interior and outdoor seating for 87 seats. There is interior seating for 63 seats (with 7 at the sushi bar and 56 in the main dining area) and an exterior patio with seating of 24 seats. The hours of operation will be from 11:00 a.m. to 9:30 p.m. Monday to Saturday and 11:00 a.m. to 9:00 p.m. on Sunday.

Kim Fam Birmingham Sushi, Inc. provided financial documents from Comerica Bank that verified that there were sufficient funds available to purchase the Liquor license from D&D Hospitality, LLC. Britney Kim would be the sole owner of Kim Fam Birmingham Sushi, Inc. A Background check was conducted on Britney Kim. Kim was checked using the Law Enforcement Information Network (LEIN) and the Court's Enforcement Management Information System (CLEMIS). Britney Kim has no criminal convictions and has received no MLCC violations.

LEGAL REVIEW:

This was reviewed and approved by the City Attorney.

FISCAL IMPACT:

\$1,500.00 liquor license application fee received.

PUBLIC COMMUNICATIONS:

None

ATTACHMENTS:

None

SUMMARY:

The request is before the City Commission to approve the transfer of the Class C license from D&D Hospitality, LLC. to Kim Fam Birmingham Sushi, Inc. Kim Fam Birmingham Sushi, Inc. will be solely owned by Britney Kim, The Class C and new SDM License with Sunday Sales (AM and PM) and Outdoor Service Area on public property located at 377 Hamilton Row, Birmingham, Oakland County, MI. Britney Kim has successfully completed the police background check. The police department has not uncovered any information that would give cause to deny the applicant's request.

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to authorize the City Clerk to complete the Local Approval Notice at the request of Kim Fam Birmingham Sushi, Inc., and to approve the transfer of the Class C Liquor License from D&D Hospitality, LLC. to Kim Fam Birmingham Sushi, Inc. with a new SDM Liquor License, Sunday Sales permit (AM and PM) and Outdoor Service area on public property to Kim Fam Birmingham Sushi, Inc. that will be located at 377 Hamilton Row, Birmingham, Oakland County, MI.



**Birmingham Sushi Café
377 Hamilton Row
Birmingham, Michigan 48009**

**Proposal for Bistro License
October 1, 2022**

**Submitted by:
Kelly A. Allen
Adkison, Need, Allen, & Rentrop, PLLC
39572 Woodward Ave., Suite 222
Bloomfield Hills, MI 48304**

BIRMINGHAM SUSHI CAFÉ

Background

Birmingham Sushi Café has been a staple for Asian Cuisine in Birmingham for over 14 years. Birmingham Sushi Café operated as one of the first Bistro licenses, having operated with a Class C liquor redevelopment license since approximately 2014. In 2021, the ownership of the restaurant changed, and the license could not be transferred at that time. Therefore, the Bistro designation was lost, and the liquor license reverted to the State of Michigan.

The new ownership of Birmingham Sushi Café is Kim Fam Birmingham Sushi, Inc. The Kim family owns and operates Birmingham Sushi Café. The sole stockholder of the company is Brittany Kim. Together with her father, Mike, and her mother, Soon, the family works together tirelessly to deliver the excellent service and cuisine known to the city, its residents, and those who travel near and far to enjoy the food and traditional ambience.

Prior to owning and operating Birmingham Sushi Café, Mr. Kim worked at Shiro in Novi, as the executive sushi chef and manager.

The Kim family is desirous of returning to a full-service family restaurant, offering full bar service for the enjoyment of their customers.

Menu and Hours of Operation

Birmingham Sushi Café's Menu includes a diverse range of authentic sushi and Japanese, Chinese, and Korean cuisine for reasonable prices. Mr. Kim is the full-time sushi chef, having over 16 years of experience.

The hours of operation are: Monday – Saturday, 11:00 am to 9:30 pm, and Sunday, 11:00 am to 9:00 pm.

Seating and Bistro Qualifications

Birmingham Sushi Café has seating for 64 inside and 24 seats for outdoor dining. Birmingham Sushi Café has operated with an outdoor dining permit for many years.

Birmingham Sushi Café meets the qualifications of the Bistro Ordinance in that:

- Birmingham Sushi Café has been an existing restaurant for over 5 years.
- Alcohol will only be served to seated patrons.
- No dance area is provided.
- No entertainment is offered.
- Tables are located in the storefront.
- A minimum of 70% glazing is provided in the front of the building.
- Outdoor dining is provided.
- A special land use permit will be obtained, and a special land use contract will be executed.

Financial Feasibility Information

The Kim's have operated Birmingham Sushi Café successfully without a liquor license and are financially stable. If approved for a Bistro license, Birmingham Sushi Café will be applying for a "redevelopment license" under the Michigan Liquor Code. The cost of this license is \$20,000. A bank statement showing this amount and their operating income can be provided separately.





MEMORANDUM

Planning Division

DATE: December 6, 2023

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Public Hearing to amend Article 4, Section 4.54 of the Zoning Ordinance to add flexibility to screening requirements for waste receptacles and ground-mounted mechanical/electrical equipment.

INTRODUCTION:

Over the years, the Planning Board has grappled with design proposals for dumpster enclosures that do not meet the technical requirements of the Zoning Ordinance, but have generally offered a high quality design and material composition that appeared to meet the intent of the ordinance when it was written. As it currently stands, screening for dumpsters and ground mounted mechanical or electrical equipment is limited to a 6 ft. masonry screenwall with wood gates. At this time, the Planning Board is proposing to modify the screenwall standards to provide more flexibility in design.

BACKGROUND:

On November 8, 2023 ([Agenda](#)), the Planning Board held a public hearing to discuss changes including the separation of ground mounted mechanical/electrical equipment and waste receptacles, more clarification on the height of screenwalls, and to provide more flexibility in design for the gate portions of the screening enclosures only. Ultimately, the Planning Board moved to recommend that the City Commission approve amendments to Article 4, Section 4.54 of the Zoning Ordinance to add flexibility to screening requirements for waste receptacles and ground-mounted mechanical/electrical equipment.

LEGAL REVIEW:

The City Attorney has reviewed the suggested resolution and the amended ordinance language and has no objections.

FISCAL IMPACT:

There are no fiscal impacts for this agenda item.

SUSTAINABILITY:

There are no major sustainability implications for this agenda item.

PUBLIC COMMUNICATIONS:

As required for the proposed Zoning Ordinance amendments, a legal ad was placed in a newspaper of local circulation to advertise the public hearing at the Planning Board on November 8, 2023. A similar ad was placed in a newspaper of local circulation to advertise the public hearing at the City Commission on December 18, 2023.

SUMMARY:

The Planning Division requests that the City Commission consider amendments to Article 4, Section 4.54 of the Zoning Ordinance to add flexibility to screening requirements for waste receptacles and ground-mounted mechanical/electrical equipment.

ATTACHMENTS:

Please see the following attached documents:

- Proposed Amendments to Article 4, Section 4.54
- Final Planning Board Report

SUGGESTED COMMISSION ACTION:

Make a motion adopting an ordinance to amend Article 4, Section 4.54 of the Zoning Ordinance to add flexibility to screening requirements for waste receptacles and ground-mounted mechanical/electrical equipment.

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, SECTION 4.54, SCREENING STANDARDS, TO AMEND DUMPSTER AND GROUND MOUNTED MECHANICAL/ELECTRICAL SCREENING REQUIREMENTS.

-
- A. Purpose: The purpose of this section is to require a barrier, capable of containing noise, vehicular lights, visual disarray, debris and other factors detrimental to the health, safety and welfare of the community, between an open parking station, outdoor storage, dumpsters and adjacent properties. Flexibility in the materials, size, height and placement of walls is permitted in order to allow architectural harmony and usable open space and to accomplish a unified design.
- B. Screenwall Descriptions: Screenwall as required by this section shall mean:
1. When required along a street line, alley, passage or mixed passage, a masonry wall with an exterior face of brick, precast aggregate panels, sculptured block, stone, architecturally treated concrete or other materials acceptable to the Planning Board which are demonstrated to be durable, easily maintained, and provide a similar permanent visual barrier.
 2. When required, a screenwall of capped masonry.
 3. Screenwalls shall be so constructed that the lower 32 inches in height, as measured from the finished parking lot surface, or ground surface on the outside of the screenwall, whichever is higher, shall be solid. Openings above 32 inches may be permitted provided the intent of the Zoning Ordinance is maintained and further provided the openings are not larger than 64 square inches and do not exceed 33% of the surface of the screenwall.
 4. Where a screenwall is adjacent to a vehicular or pedestrian accessway, the screenwall shall be so de- signed and constructed as to not constitute a hazard to vehicular or pedestrian traffic.
 5. Screenwalls along a street shall be so designed as to not form a continuous barrier. Depending upon the length, location and ground contour, a break in the screenwall is required every 50 to 100 feet. Such break shall be a minimum of 10 feet long. A screening wall of a material permitted under Section 4.54(C)(1) shall be constructed for the full length of the required break and shall be located a minimum

of 2 feet to either the front of or the rear of the principal screenwall. The Planning Board may, upon Site Plan Review, require the screenwall spanning the break to be attached to the principal screenwall. Landscaping is required in any area created on the street side of the screenwall by the required break and shall be subject to the requirements of Section 4.54(D)(1).

6. When required along the front, side or rear of any building, a masonry screenwall shall match or complement the exterior of the building.
7. When required along the side or rear lot line of any parking facility which immediately adjoins the rear lot line of property located in a residential zone, a masonry screenwall of 6 feet. When required along the side or rear lot line of any parking facility which adjoins an alley or passage adjoining the rear line of property located in a residential zone, a masonry screenwall of 3 feet.
- ~~8. When required to screen a trash receptacle or ground-mounted mechanical or electrical equipment, a masonry screenwall with wood gates. The screenwall shall match the material of the principal building.~~
- 8. When required to screen ground-mounted mechanical or electrical equipment, a screenwall constructed of high quality and durable materials rated for exterior use such as masonry, wood, wood composite, metal or other materials acceptable to the Planning Board, the height of which shall match the height of the unit(s) being screened.**
- 9. When required to screen a solid waste receptacle a screenwall that is designed to be durable, easily maintained, and provide a complete and permanent visual barrier. Screenwalls for solid waste receptacles shall meet the following requirements:**
 - a. Screenwalls shall measure at least 6 feet in height, or equal to the height of the receptacle(s) being screened, whichever is greater around all sides of the screening enclosure, including the side for access.**
 - b. Screenwalls shall be constructed of capped masonry with access gates constructed of high quality and durable materials rated for exterior use such as, wood, wood composite, metal or other materials acceptable to the Planning Board. Flexibility in materials on screenwall areas 6 feet and above may be granted by the Planning Board during Design Review. Screenwall materials shall complement the material of the principal building.**
 - c. The standards outlined in [Chapter 90](#) of the Birmingham City Code shall apply to all waste receptacles in the City of Birmingham.**

C. Screening Requirements: Screening shall be placed as follows:

1. Along the side or rear line of any parking facility which immediately adjoins the side line of property zoned to a residential district under the Zoning Ordinance, provided that the screenwall along the side of a parking facility located in the parking district shall not extend further than the front setback area of the abutting residential district.
2. Along the side or rear lot line of any parking facility which immediately adjoins the rear line of property located in a residential district.
3. Along the front or side of any parking facility that abuts a street, alley, passage or mixed passage.
 - a. When the property being utilized for the parking facility is zoned residential, the screenwall shall be placed along the setback line.
 - b. When the property being utilized for the parking facility is zoned parking, and abuts a residential district, the screenwall shall be placed along the setback line applicable to the abutting residential district.
 - c. When the property being utilized for the parking facility is zoned to a business or industrial district, and abuts a residential district, the screenwall shall be placed along the setback line applicable to the abutting residential zoning for that district.
 - d. When the property being utilized for a parking facility is zoned to a business or industrial district, and abuts business or industrial district, the screenwall shall be placed along the setback line; however, upon review of the Site Plan, the Planning Board may approve an alternate location for the screenwall in order to maximize the screening effect of the parking facility, or may modify the screenwall requirement by approving an evergreen screen in its place.
4. Along the front, side or rear of any parking facility underneath a building which is visible to the general public in a manner which screens the parking from public view.
5. Adjacent to ground-mounted mechanical or electrical equipment which is visible to the public in a manner which obscures the receptacle and equipment from public view.
6. In the B2B district, along the side or rear lot line of any parking facility located on the side of the building in the B2B district and immediately adjoining the rear line or an alley adjoining the rear line of property located in a residential district.
7. In all multiple-family districts and all office and business districts, the screening of trash containers shall be required ~~and shall be constructed of 6-foot masonry~~

~~screenwall with a gate. All materials shall match or complement the exterior of the building.~~

8. Rooftop mechanical and other equipment shall be limited, positioned and screened to minimize views from adjacent properties and public rights-of-way.
 - a. To minimize the visual impact of such equipment from adjacent elevated views all rooftop mechanical equipment and associated screening must be removed if:
 - i. The equipment is inoperable and not serviceable; or
 - ii. The equipment is obsolete and not in service, or
 - iii. The equipment is not being utilized for its intended purpose.
 - b. To minimize the visual impact of such equipment from other points of observation, rooftop mechanical and other equipment shall be obscured by a screenwall composed of materials compatible with the building or by landscaping demonstrated to provide an effective permanent visual barrier.
 - c. Any screenwall barrier:
 - i. Shall, to the best extent possible, not extend above the top edge of an imaginary plane extending upward no more than 45 degrees from the eave line; and
 - ii. Shall not exceed 10 feet in height.
 - iii. For buildings sharing a lot line with a building of the same or greater height, such rooftop screenwalls are not required to be set back from the main building wall along the common lot line.

D. Miscellaneous Screening Requirements:

1. When screening is placed along a front setback line, the resulting front yard shall be void of all parking and storage and shall be planted and otherwise landscaped and maintained by the owner.
2. Any driveway furnishing access to a parking facility shall be considered as part of the parking facility for the purposes of the Zoning Ordinance.
3. Where two parking facilities adjoin each other and the common boundary is either a side or rear line, no screening is required along the line common to both parking facilities.

4. All screenwalls shall be maintained in good order. Plant materials in vegetative screenwalls shall be maintained in a healthy condition. Dead or diseased plant materials shall be replaced with healthy materials of like size and kind.
- E. Review: The design, height and location of all screening shall be reviewed by the Planning Board.

ORDAINED this _____ day of _____, 2023 to become effective 7 days after publication.

Elaine McLain, Mayor

Alex Bingham, City Clerk



MEMORANDUM

Planning Division

DATE: November 8, 2023

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Dumpster Screening Materials – Public Hearing

Over the years, the Planning Board has grappled with design proposals for dumpster enclosures that do not meet the technical requirements of the Zoning Ordinance, but have generally offered a high quality design and material composition that appeared to meet the intent of the ordinance when it was written. As it stands, an applicant that wished to utilize alternate materials would be required to acquire a variance from the Board of Zoning Appeals. The language is as follows:

Article 4, Section 4.54 (B)(8)

When required to screen a trash receptacle or ground-mounted mechanical or electrical equipment, a masonry screenwall with wood gates. The screenwall shall match the material of the principal building.

On July 10, 2019 ([Agenda](#) – [Minutes](#)), the Planning Board held its last study session on the topic, which had been discussed or several months prior. At that time, the conversations appeared to be more detailed, and were revolving around the level of screening that certain materials might offer, and how far the City should go in regulating opening sizes.

At this time, the Planning Board has expressed interest in reviving the conversation and opening up the standards to permit more materials for dumpster screening enclosures.

Study Session #1

On August 9, 2023 ([Agenda](#) – [Minutes](#)), the Planning Board reviewed proposed ordinance amendments that expanded the permitted materials for gates on dumpster enclosures. In conversation, the Planning Board expressed an interest in relaxing the strict requirements for capped masonry and generally including provisions that were flexible and consistent, but also emphasized durability and quality.

Study Session #2

On September 13, 2023 ([Agenda](#) – [Minutes](#)), the Planning Division reworked the proposed ordinance language to relax the strict material requirements while still emphasizing durability and quality. In addition, the Planning Division performed some local ordinance research to gain an understanding of what other communities in Southeast Michigan require in terms of dumpster screening. Finally, the Planning Board discussed specific design recommendations to address design considerations as it relates to rodents and washouts. The Planning Board held robust discussions on material durability as it relates to the different forms of enclosures and expressed an interest in potentially providing separate requirements for ground mounted mechanical units and waste receptacles. There was additional conversation about the height provisions proposed stemming from concerns about the visibility of waste receptacles as they are changed.

Study Session #3

On October 11, 2023 ([Agenda](#) – [Minutes](#)), the Planning Board considered language that separated waste receptacle screening requirements and ground-mounted mechanical screening requirements to permit more flexibility in design for mechanical screening. However, the Planning Board maintained the position that masonry is the most appropriate material for waste receptacle screening. Ultimately, the Planning Board moved to set a public hearing to discuss the proposed ordinance amendments.

Public Hearing

The Planning Division has revised the proposed language attached to simplify height requirements while also ensuring that there are no conflicts between various provisions of the ordinance language. In addition, at the direction of the Planning Board, staff included a provision that allows for flexibility in screenwall material above 6 ft. The language was drafted to give sole purview of granting material flexibility to the Planning Board at a Design Review hearing to ensure consistency.

Sample Motion Language

I move that the Planning Board recommend that the City Commission APPROVE amendments to Article 4, Section 4.54 of the Zoning Ordinance to add flexibility to screening requirements for waste receptacles and ground-mounted mechanical/electrical equipment.

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MEMORANDUM

Department of Public Services

DATE: December 6, 2023

TO: Jana L. Ecker, City Manager

FROM: Scott Zielinski, DPS Director
Carrie Laird, Parks and Recreation Manager

SUBJECT: Parks and Recreation Master Plan Public Hearing

INTRODUCTION

The Department of Public Services (DPS) Parks Division has been preparing the updated 2024-2028 Parks and Recreation Master Plan over the past several months with the assistance of McKenna, the City's consultant. The draft plan was available to the public for a formal "30-day review period" between November 1, 2023 and December 4, 2023, both online and in print at the Baldwin Public Library, City Hall, DPS, and the Ice Arena. Public comments received during the review period were analyzed by staff and the draft was updated with McKenna's assistance. The public hearing for adoption of the Parks and Recreation Master Plan is set for the December 18, 2023 City Commission Meeting.

BACKGROUND:

The Michigan Department of Natural Resources (MDNR) requires communities to develop and file a comprehensive Citywide recreation plan in order to establish eligibility to apply for grants from the MDNR. The last adopted Parks and Recreation Master Plan for the City was in 2018. This will be the fifth, five-year Community Parks and Recreation Master Plan for the City of Birmingham. It serves as the City's guide for future development of parks and recreation, with a recommended capital project schedule included in the document as well.

The updated Parks and Recreation Master Plan will guide the City's long range planning efforts, direct decision making and the redevelopment of parks, facilities, open space and our recreation system over the next five (5) years. The updated plan will provide a vision, goals and objectives to guide the City's elected officials, residents and staff on future needs as they relate to parks, trails and recreation.

The planning process has been largely driven by community participation. The foundation of the Birmingham Parks and Recreation Master Plan is an engagement process that incorporates multifaceted community outreach techniques to maximize stakeholder participation. The City's consultant, McKenna, has designed this process to ensure inclusive and comprehensive engagement with multiple opportunities for input and proactive participation from a breadth of

stakeholders, age groups and knowledge levels. The team engaged participants frequently, in ways that best suit their lifestyles and time commitments so that the time they invest is used wisely.

Public engagement during this planning process has included four (4) separate field days at City programmed events which included: a concert in Shain Park, a movie night at Booth Park, a pop-up event at Kenning Park, and the Farmers Market Harvest Festival. DPS staff and the McKenna team hosted round table discussions with special interest groups including the Friends of the Rouge, City board liaisons, members of the Aging in Place Ad Hoc Committee and the Environmental Sustainability Committee, the Birmingham Little League, the YMCA, Next and homeowner association representatives. Additionally, the community was invited to Parks and Recreation Board meetings to share input, including a review of the draft plan at a special meeting of the Parks and Recreation Board on October 24, 2023. Residents were also encouraged to submit feedback online via the City's public engagement platform, Engage Birmingham. The site featured a variety of customizable interaction opportunities, including surveys, parks comment map and more.

Input from engagement opportunities, industry best practices, and Parks and Recreation Board and staff feedback was incorporated into an initial draft. The initial draft of the 2024-2028 Parks and Recreation Master Plan was on display for a 30-day public review period between November 1, 2023 and December 4, 2023.

The 30-day review period is not only a requirement of the MDNR but serves to provide the public with a tangible document to review.

LEGAL REVIEW:

The City Attorney has conducted a legal review of items related to the Parks and Recreation Master Plan adoption.

FISCAL IMPACT:

The City has invested approximately \$68,500 (2023-2024 approved budget) into the preparation and assembly of this document to serve the Birmingham community as the updated 2024-2028 Parks and Recreation Master Plan.

SUSTAINABILITY:

This draft plan was developed with sustainability in mind, and endeavors to illustrate robust opportunities for parks to help the community achieve environmental sustainability goals such as replacing lawn areas with areas for low maintenance plants and rain gardens and planning for low-impact designs using the appropriate green infrastructure elements.

PUBLIC COMMUNICAITONS:

Throughout this process of updating the Parks and Recreation Master Plan, numerous public engagement activities have been taking place, including: Engage Birmingham surveys, stakeholder meetings with various organizations that work in partnership with the City, homeowner associations and special interest groups, field days at events (4), public input sessions, and public meetings. Each engagement opportunity was promoted and highlighted on the City website, newsletters and articles, email communications and social media.

The 30-day public review period was promoted with a press release, newsletter, email communications, social media outlets and the City's website.

A legal advertisement was placed announcing the public hearing at the City Commission meeting on December 18, 2023. The public hearing was also promoted using the various communications as described above.

SUMMARY:

The initial draft of the Parks and Recreation Master Plan has undergone a 30-day public review period. All input received during the review period was synthesized and the draft updated appropriately. The updated draft plan for adoption is available on the City's website.

The City Commission set a public hearing date of December 18, 2023 to consider the adoption of the 2024-2028 Parks and Recreation Master Plan.

ATTACHMENTS:

- Submission Memorandum provided by McKenna
- [Draft 2024-2028 Parks and Recreation Master Plan](#) (web link only)
- Letter of Support from Parks and Recreation Board Chairperson and Vice-Chairperson

SUGGESTED COMMISSION ACTION:

Inform staff of any critical edits necessary for the 2024-2028 Parks and Recreation Master Plan to be ready for adoption.

If no significant edits are required proceed with the next item of new business for the Parks and Recreation Master Plan adoption.



Memorandum

TO: City of Birmingham City Commission
FROM: Paul Urbiel, Jane Dixon, Laura Haw and the McKenna Team
SUBJECT: **City of Birmingham 2024-2028 Parks and Recreation Master Plan**
DATE: December 11, 2023

EXECUTIVE SUMMARY:

Enclosed you will find the draft **Five Year, 2024-2028 Parks and Recreation Master Plan**, (the Plan) which is the culmination of months of significant investigation, analysis, public engagement, and strategic thought.

The city administration is requesting the City Commission host a public hearing and adopt the final draft of the Plan. Public input on the draft plan has been solicited for over 30 days, November 1 – December 4, 2023, and attached to this memorandum is a document that includes all comments received, context regarding the plan topics addressed, and any changes implemented because of the comments received.

As a part of the State of Michigan Department of Natural Resources (MDNR) requirements, the city must host a public hearing prior to adoption of the plan. We are asking that the final plan be adopted by the City Commission after the public hearing takes place. After adoption by the Commission, the plan will be submitted to Oakland County, SEMCOG, and the MDNR for approval. An approved Recreation Plan, including any amendments, must be on file with the MDNR for Birmingham to be eligible to apply for grants through the State of Michigan.

BACKGROUND:

The Birmingham Parks and Recreation Master Plan was last adopted in 2018. Throughout much of 2023, the city has worked collaboratively with McKenna to seek public input and develop a new plan. This Plan's recommendations are underpinned by feedback from a thorough, multi-pronged effort to solicit input from a wide variety of stakeholders over several months of this year. The Plan includes a complete inventory of facilities, programs and services; analysis of the city's recreation system through the lenses of national benchmarks for facilities provision, sustainability, accessibility, and inclusion; a listing of all partners; and goals, objectives and actions.

Goals, objectives, and action steps can serve as a guide for preservation and development of Birmingham's public recreation spaces. They provide many opportunities to enhance the City of Birmingham as a welcoming, inclusive and accessible place to live, work and thrive.

During your December 18, 2023 Commission meeting, a duly noticed Public Hearing for the draft plan will be conducted. After the hearing, the Commission may act to adopt the plan by Resolution. Upon adoption, we will finalize the plan for production, and distribute it to the necessary entities (Oakland County, SEMCOG, and the Michigan Department of Natural Resources).



We look forward to discussing the draft plan during your December 18th meeting. We welcome any questions or comments at any time. Thank you, it has been a pleasure to work with Birmingham residents, elected and appointed officials and the administration on this project.

ACTION REQUESTED:

1. Host a public hearing to solicit public input on the Birmingham 5-Year, 2024-2028 Parks and Recreation Master Plan.
2. Approve the resolution adopting the Birmingham 5-Year, 2024-2028 Parks and Recreation Master Plan.

ATTACHMENTS:

- 5-Year, 2024-2028 Parks and Recreation Master Plan: Draft For Adoption Consideration
- Public Comments Received on the Draft Plan During the Public Comment Period (November 1 through December 4, 2023)
- Draft Adoption Resolution

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION')
1	1-Nov-23	<i>Thank you and team for efforts on the Parks and Rec Updated Master Plan. It is well done.</i>		
		<i>And nice to allow feedback during this phase.</i>		
		<i>The following suggestions / comments are relatively minor and may not be as strategic / broad as the Plan is written.</i>		
		<i>Poppleton Park (which I live near and family uses on weekly basis) The ballfield area - between the parking and field itself could be improved, graded, grass, (potential lighting) at minimum expense and would improve the ball field entrance, access seating, overall quality significantly. There is missing sidewalk from Oxford (one house in from Rivenoak) to the ballfield and tennis courts. Believe there is space between existing tennis courts toward Rivenoak that could be used for additional courts (basketball, tennis, pickelball) or small soccer field or nature/sitting area.</i>	Poppleton Park: Gaps in accessible paths are mentioned in accessibility opportunities (page 77). These comments have been received by staff and will be considered when designing park improvments.	
		<i>The addition of mini parks with vacant land seems like an idea effort to improve some open / vacant land into more useable park areas. The example in the plan of the south area of Old Woodward though as example doesn't seem like a good idea in terms of shutting/closing Old Woodward access to the south, the impact to businesses in the area, and traffic flow to/from Woodward. Believe there are easier, less (negative) impactful mini parks to develop than that example.</i>	Haynes Square: Recommendation of Birmingham Plan (2040 City-wide Master Plan). It is mentioned here because the creation of this square would address the goal of providing more, walkable park space throughout the City, but the text acknowledges that implemenation of this idea is beyond the time horizon and scope of the Parks and Recreatoin Master Plan.	No change.
2	3-Nov-23	<i>It was great to read through such a comprehensive master plan. I was glad to see permanent restrooms on the list of action items. However, I think they are needed at Booth Park and did not see Booth Park listed in the current plans for restrooms. Permanent restrooms at Booth Park would be convenient for people at a variety of community events, including the Farmers' Market and outdoor movie screenings in the summer. I would also like to have them for when I am there with my family going on a walk or playing on the playground. Please seriously consider adding permanent restrooms to Booth Park.</i>	Booth Park restrooms are in process as part of current bond issue.	No change.

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION'
		<i>Pleased to see the social responsibility and environmental stewardship pervasive throughout this plan. It is wise to be planning all future projects with sustainability such as solar power and water conservation in mind.</i>		
		<i>Especially happy to note on p.101 that under New Park Space, the properties at Eton/Lincoln and Cambridge/Buckingham (pollinator garden opportunity? Since the railroad removed all the trees along the tracks, that area is pretty raw) are being considered for additional areas of community gathering and neighborhood green space. I have a personal interest in both those areas, as well as Adams Park. Not sure if there are any metrics on the increased usage at Adams Park but my neighborhood (Birmingham Estates) bears witness. I was skeptical and hesitant but the space is fabulous and so well-suited to the needs of the community. I especially appreciate that the park is designed to be used by a wide range of individuals, the water fountain (to include dogs), and the pavilion.</i>		
3	3-Nov-23	<i>What is not working for me:</i> <i>1. Any stationary food building at Booth Park. This violates the original intent of the donation of this land and there are plenty of places, within a few yards, where people can connect and purchase refreshments.</i> <i>2. The choice of bands for the concerts in Shain Park. Big fan of the concerts. The cover bands from last Summer were not exciting. Would like to see more local talent and variety.</i> <i>3. Wish the parks included equipment for Seniors, or at least a broader age range. With our aging population, incorporating Senior-friendly park amenities (fitness stations) and universal design principles for accessibility would be terrific. I see this is addressed in the currents plans a bit.</i> <i>Thank you for asking for community feedback. Thank you for your work. Overall, I am impressed and pleased by the Parks and Recs portion of the Master Plan.</i>	1. Food in Booth Park: Both the Birmingham 2040 Plan and engaged stakeholders during this planning process identified the desire for food and beverage service within parks. 2. Programming of the concerts not within the scope of this plan, comment received by staff. 3. Adult fitness stations at strategic locations throughout the park system are identified as both a short- and long-term priority on page 121.	No change.
4	3-Nov-23	<i>The only comments I have at this point are:</i> <i>1) There is no provision for “senior exercise” in Poppleton Park that I could find. There are a number of seniors in the Poppleton area and now with the crosswalks on Woodward to access the park from the west, I believe senior exercise should be considered.</i> <i>2) Accommodations for food trucks really worries me. I see the need for additional lighting and utility hookups, garbage and trash being continually generated, additional vehicle traffic, etc. I really see no good reason to have food trucks in our parks.</i> <i>3) I am categorically opposed to the installation of restrooms in our parks. I played for the B’Ham senior softball team for 15 years and we played in the Oakland, Macomb, Wayne counties area. I saw very, very few public restrooms built and regularly maintained to a quality standard that Birmingham should demand for these facilities.</i> <i>I think the plan itself is robust with many good metrics!!! And I think you and the P&R Board have a good working document. I am looking forward to what I know will be some super results as a result.</i>	1. Poppleton Park: To this point, adult exercise was not mentioned in Poppleton Park, however the park does have the capacity to accept this amenity and is a feasible candidate for consideration. 2. Accommodation for food and/or beverage service is a persistent theme in the feedback received for this plan and aligns with the Birmingham Plan recommendations. 3. Restrooms are identified as a priority in parks for accessibility, inclusiveness and general usability of the parks. Input received from this plan to this point has been on both sides of this issue, but definitively favors the addition of well-designed and well-maintained restrooms.	Add Poppleton to candidate sites for adult fitness.

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION')
5	4-Nov-23	<i>From playing at and driving by the pickle ball courts, it appears as if there is significant usage of the 6 courts during both open play and when the court have reserved time.</i> <i>Certainly, more usage than what was being delivered by the tennis courts.</i> <i>This is a request for additional pickle ball courts and consideration be given to a location that could support a bubble for the cold weather.</i>	The Board and the City staff have contemplated additional pickleball facilities, and pickleball was a frequent requested amenity in the public engagement for this plan. Birmingham exceeds the national provision of pickleball facilities as identified by the NRPA. Additional pickleball opportunities are available at partner sites and regionally. We agree that providing multi-use facilities at existing tennis courts is a cost-effective way to increase the availability of pickleball facilities.	Add short-term action to study additional pickleball opportunities.
6	5-Nov-23	<i>I am a Birmingham resident (own two homes in the city) and I support renovations at Kenning #1 and #4. Little League is a very beneficial activity for kids and families.</i>	This comment aligns with other feedback gleaned from the survey and commentary at Parks and Recreation Board meetings where the draft plan was discussed. A reconsideration of the design plan for Kenning Park is recommended on page 125, which is a requisite first step in completing improvements to the ballfields.	No change.
7	24-Oct-23	<i>I am writing to recommend that the proposed Park’s and Recreation Master Plan include additional, Universal Design best practices for enhanced accessibility for persons of all ages and mobility abilities.</i> <i>Many city parks are large open spaces with minimal walkability. For example, Pembroke Park needs a sidewalk along its Windemere Street– north edge, to connect Eton and Edenborough Streets.</i> <i>I am attaching graphics to illustrate the scale and my general suggestions for short-term improvements for Pembroke and Crestview Parks.</i> <i>Thank you for your consideration and I look forward to discussing the Park Plan further.</i>	Universal accessibility, additional wheeled access and compliance with ADA, and increased walkability to and within parks is inherent to the plan's goals, objectives and actions.	Add sidewalk recommendations for perimeter of parks. Add clarifying language regarding the definition of "accessible paths" and this plan's relationship to the Birmingham Plan (the 2040 Citywide Master Plan).

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION')
8	7-Nov-23	A couple of things I noticed when reviewing the master plan document: •p. 84 Detention Pond (shouldn't it be "retention"?) •p. 94-96 demographics begin with 0-4, 5-9, 10-14, then skips to >65 (are we missing my age group?) •p.96 the title indicates "Population Over 65" but the legend title describes Ages 5-9 (is the data for the 5-9 or is the legend title a typo?) •p. 110 the bottom graphic has formatting issues (there appear to be 12 data sets, but there are 15 x-axis titles, very difficult to read)	Pg. 84: 'Detention pond' refers to a basin that temporarily stores stormwater runoff and gradually releases it. These facilities help reduce the likelihood that stormwater infrastructure overflows in heavy rain events, but are not intended to be permanently filled with water. "Retention ponds" are designed to permanently store water. Detention pond is what is intended here. Pg. 94-96: The walkability map of parks to the entire city is on page 92. This analysis was conducted to seek opportunities to improve equitable access to the parks, thus the age groups that most stand to benefit from easy, walkable access were studied. P. 96 Correction made. P 110: Correction made.	Corrections made.
9	13-Nov-23	Thank you for soliciting community feedback for the Parks and Recreation Master Plan - I really appreciate how you get citizens involved. I've spoken with multiple residents in our neighborhood and they were curious about the potential to have toilets installed in Adam's Park. As you're aware, Adam's Park is new and beautiful, and having a restroom would greatly enhance its usability for families. If a restroom is far down the list, relative to other parks, is it possible to have a porta-poty installed? They would be appreciated and a great start!	Restrooms are identified as a priority in parks for accessibility, inclusiveness and general usability of the parks. Additional capital improvements at Adams Park are not contemplated within the time horizon of this plan given the recent investment.	No change. Request for temporary restrooms received by staff.
10	14-Nov-23	Wow, what a comprehensive parks and rec plan! Thank you! I am disappointed to see that building more pickleball courts did not make it to the next 1 to 3 year plan. (unless I missed it?) I noted that that was one of the top comments regarding future needs. There seems to be many underutilized tennis courts that may be considered. Has there been any attempt to monitor use numbers? I am also unsure why we need to consider locking the courts??!! I know noise has been a concern, but there are efforts underway to create quieter equipment....	The Board and the City staff have contemplated additional pickleball facilities, and pickleball was a frequent requested amenity in the public engagement for this plan. Birmingham exceeds the national provision of pickleball facilities as identified by the NRPA. Additional pickleball opportunities are available at partner sites and regionally. We agree that providing multi-use facilities at existing tennis courts is a cost-effective way to increase the availability of pickleball facilities.	Add short-term action to continue to identify additional pickleball opportunities, including striping to selected existing tennis courts.

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION')
11	14-Nov-23	<i>I am reaching out to you in regards to the proposed 2024-2028 Parks & Recreation Master Plan. I appreciate that you have opened this up for public remarks. I have taken a look at the draft proposed and I have some real concerns. Not only as a resident of the west side of Birmingham but as a veteran REALTOR® in the Birmingham market.</i>		
		<i>Let me start out by saying I love our community! I love the robust shopping, the charming streets and the parks peppered throughout Birmingham. It's a wonderful selling feature when I'm introducing people to the area. As a parent, it has also been a HUGE asset for my family. When selecting a home in Birmingham, I specifically wanted to be close to a park.</i>		
		<i>I have taken time to review the proposal posted on the website. This plan seems to be OVERLY weighted on the east side of town. I understand that outside guidance was received for creating this plan, taking into consideration several factors. However, I can't help but think there is a more equitable way to approach this. Three of the four parks identified within the report's first priority category are east of Woodward. The 4th park is just a few blocks west of Woodward. All of those parks have other parks close by or a school with a playground. This is a HUGE disservice to the residents and children on the west side of town. It also impacts the desirability for people wanting to come to this side of town. Potentially impacting real estate values. BOTH are a concern for me.</i>	We assume this comment relates to the priorities for Universally-Accessible Playground installation. West Lincoln Well is identified to receive a new playground as part of this bond issue (as a second-priority candidate), which still might occur within the time horizon of this plan. This prioritization is based on the age of the existing equipment, condition of the existing equipment, and presence of children living in a walkable distance from the park.	No change.
		<i>I would like to encourage you to PLEASE reconsider this plan and take into consideration the Lincoln Well Park. It's one of the few parks on the west side of town. It is often visited and seems to be a true treasure to those of us living around it.</i>	Recommended actions and policies are based on inventory of existing amenities, analysis of data and best practices, and public feedback received to date. Investment to west-of-Woodward parks is recommended throughout the action plan.	
12	16-Nov-23	<i>I am asking you to please move the West Lincoln Well Park up to the FIRST PRIORITY category.</i>		
		<i>I read the master plan and am proud that the City of Birmingham values its city parks. My focus is Barnum Park. I read they want to put in “yard games”. I don’t think the park needs “yard games”. The beauty of this open park allows for community members to create their own “games” and how to utilize the space, noting permanent is necessary. We have a playground, ball field, soccer field and enjoy the open space. I liked that we had a seasonal ice rink, although it was rarely used, if ever.</i>		
		<i>Currently, restrooms are set up near the sidewalks. To me, they are an “eye sore”. I like where the restroom are by the parking lot. Do we need them along the sidewalks?</i>	It is worth noting that City-provided temporary restrooms are not near the sidewalk, and the temporary restrooms mentioned belonged to a 3rd party contractor to faciliate utility work.	No change.
13	24-Nov-23	<i>I would not change one thing about Barnum Park. It is quite perfect the way it is, except for the restrooms basically on the sidewalks.</i>		
		<i>I live in the Pembroke Park area of the city. I have noticed the amazing improvements that Bham has made to certain parks throughout the city, namely the beautiful landscaping improvements of such parks as Barnum Park and Quarton Lake Park and others. I see that quite a bit of money must have gone into this extraordinary landscaping for these parks.</i>		
		<i>My recommendation and expectation is that other parks (that may not be central Bham) also get this extraordinary landscaping, as it adds value to our community for everyone.</i>	Comment received by staff.	No change.
		<i>I live near Pembroke park and I see that it could use landscaping in addition to having recreational facilities (like Barnum). Howarth park could also use landscaping.</i>		
		<i>I think with this improvement in landscaping more people (of divergent ages) would visit and could enjoy the parks, landscaping and gardens.</i>		
		<i>Page 7 Change ‘Bathrooms’ to ‘Restrooms’ for document clarity and consistency</i>	Noted and revised.	Revised.
		<i>Page 7 ‘Transform Woodward Environment’ – This may relate more to Master Plan but should include landscape along Woodward south of Lincoln to 14-Mile Rd. and trees within the median south of Chapin to 14-Mile Rd. In addition to above, LED pole lighting to match Royal Oak stretch and safer, well-lit pedestrian crossings.</i>	This plan is focused on City-owned parks and recreation facilities, not other public space or ROW.	No change.
		<i>Page 7 Increased Rouge River Connections – Agree, High priority for me</i>	<i>Environmental Sustainability – Agree, High priority for me</i>	No change.

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION')
14	26-Nov-23	Page 10 Map Graphic – Why is Linden Trail not dark green like Booth Trail? One River / One Trail? Rouge River Trail north of Maple – why not green?	The legend of the map identifies classifications of facilities (e.g., Community Park, Neighborhood Park, etc.). The trails themselves are indicated and all the same color.	No change.
		Page 22 Street Trees need more priority – timely replacement, Native species. Native Trees – more implementation, education is needed on benefits. Invasive Species Removal – Ongoing fight that will only get worse – Action Plan & Volunteer partnerships and education needs to be prioritized	This plan is focused on City-owned parks and recreation facilities, not other public space or ROW.	No change.
		Page 82 Public Restrooms – Why is Shain Park not at the top of the list? Heavily used central park with no permanent restrooms	Restroom prioritization is focused on parks with pavilions/picnic areas, sport fields, and those away from convenient public restrooms.	No change.
		Page 85 Promote Native Trees Species & benefits to birds, insects, & local environment as a priority	The plan discusses the benefits of native species on page 83, and recommends the development of a native planting list for future landscaping improvements on page 121.	No change.
		Pages 86, 87, 91 Prioritize (with increased emphasis) Reduced Lawn Areas / Additional Native Plantings in non-recreational areas	The plan discusses the benefits of native species on page 83, and recommends the development of a native planting list for future landscaping improvements on page 121.	No change.
		Pages 93,129 St. James Park would be a great candidate for green infrastructure improvements	Agreed.	St. James added to list of green infrastructure candidates.
		Page 96 Great Map / One River Trail – One Color?	Noted and revised.	Revised.
		Page 97 Very informative map		No change.
		Page 100 Maps with ages between 14 and 65? Age group evenly spread out around city? Mentioned somewhere?	The walkability map of parks to the entire city is on page 92. This analysis was conducted to seek opportunities to improve equitable access to the parks, thus the age groups that most stand to benefit from easy, walkable access were studied.	No change.
		Page 101 Bike lanes in downtown - a missed opportunity Potential improvements?	This plan is focused on City-owned parks and recreation facilities, not other public space or ROW.	No change.
		Page 101 Haynes Square Don’t quite get this one! To be like Shain Park? Shain Park is in a walkable, center of downtown location – This would be adjacent to high-speed highway! Landscape improvements in existing triangle would be a plus though	Recommendation of Birmingham Plan (2040 City-wide Master Plan). It is mentioned here because the creation of this square would address the goal of providing more, walkable park space throughout the City, but the text acknowledges that implemenation of this idea is beyond the time horizon and scope of the Parks and Recreatoin Master Plan.	No change.
		Page 102 MoGo would be great! Near downtown connections would be a plus		No change.
		Pages 116-119 Goal Statements – Graphic headlines for each goal would help first time readers grasp the important but ‘hard to grasp without reading multiple times’ statements such as ‘ACCESSIBILITY’ & ‘SUSTAINABILITY’	The Guiding Principles in the Executive Summary (Pg 3) attempt to convey these key messages. The goals are admittedly sometimes wordy, but also intentionally written to be inclusive and precise.	No change.
		Page 122 Shain Park Restroom should be a priority Did I miss mention of the Booth Park Restroom?	Restroom prioritization is focused on parks with pavilions/picnic areas, sport fields, and those away from convenient public restrooms. The Booth restroom project is in the process of being implemented and thus is not mentioned for future planning.	No change.
		Page 123 More recycling bins throughout parks and city – Yes!		No change.

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION')
		<i>Page 125 Invasive Planting Removal – Grants and volunteer partnerships need to be promoted More Native planting – Yes!</i>		No change.
15	3-Dec-23	<i>I wanted to provide some feedback on the draft master plan. Sustainability is really important to me, and I was impressed with how it was addressed early on in the plan, giving much needed background on the risks of climate change and opportunities available to the parks. Pages 80-91 were really good and quite informative! I'm sure myself and many others consider Goal #4 to be the most important goal listed in this plan.</i> <i>The system-wide strategic actions for sustainability were good, but I do have some feedback. Some of the actions/recommendations are vague and do not specifically detail what improvements will be made (i.e. "Complete Rouge River Trail Corridor improvements"). I also would like to suggest that as many environmental sustainability action items get moved to "short term" as possible. Medium term means we will only start seeing visible structural improvements in 4-5 years minimum - this is of most concern regarding the native plants policy and sustainable design guidelines. Prioritizing these types of policy and park-wide changes for short term will allow the city of Birmingham to maximize the positive impact of these actions. The longer we wait to act on climate change, the less impact we will have. Most residents of Birmingham are already noticing the impact of climate change. We need to act fast, and the Parks and Rec Master Plan is a great place to reflect that urgency for action.</i> <i>Thank you for taking the time to consider my feedback and concerns! I look forward to hearing back from you.</i>	There is a concept plan for the entire Birmingham Rouge River trail, available here: https://www.bhamgov.org/about_birmingham/city_departments/public_services/parks___recreation/parks___facilities/parks___recreation_bond.php The action refers to that concept plan. The Executive Summary of the plan describes the context in which this plan was written, including the ongoing efforts toward a climate action plan being led by the City. This plan is published before citywide goals are available. Our intent in this plan is to align parks and recreation policies to support the eventual climate goals, but the timing of the efforts preclude specificity.	Clarifying language added.
16	4-Dec-23	<i>I would like to voice my support for renovations of Field #1 and Field #4 at Kenning Park.</i>	This comment aligns with other feedback gleaned from the survey and commentary at Parks and Recreation Board meetings where the draft plan was discussed. A reconsideration of the design plan for Kenning Park is recommended on page 125, which is a requisite first step in completing improvements to the ballfields.	No change.
17	4-Dec-23	<i>Recommending that a Dog Park area be added to both Adams and Poppleton parks. Currently dog owners consistently use both parks as free run dog parks, allowing their dogs to run off their leash. I personally see dogs off leash ,typically 3 or more times a day, in Adams Park because my house overlooks the park. When dogs are off leash in the park, I feel very uncomfortable and not totally safe when a dog is not leashed.</i> <i>Please add a Dog Park area to both Adams’ and Poppleton’s parks. This will allow dog owners to have their dogs off leash in a safe area. Also, please add additional “Dog Leash Required” signs to the non-dog park areas so the dog leash rule will be followed.</i>	Additional dog infrastructure is included on page 120 as a long-term recommended action. Short-term policy recommendations are also included on page 120 to increase compliance with leash laws.	No change.

December 11, 2023

Scott Zielinski, DPS Director
Carrie Laird, Parks & Recreation Manager
Members of the Birmingham City Commission
Sent via Email

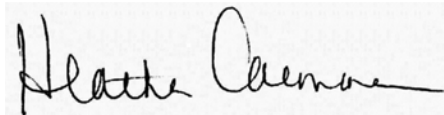
RE: Parks and Recreation Master Plan Support

We are writing to express our support for the proposed draft Parks and Recreation Master Plan. The input gathered from various stakeholders, including residents, local organizations, and community groups, reflects the collective and inclusive vision for our parks and recreational facilities.

The plan builds upon prior planning efforts with a dedicated focus on accessibility, sustainability, and walkability that will help shape our direction and create public spaces that serve the current and future needs of our community.

We encourage the City Commission to adopt the plan as presented.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Carmona", written over a light gray rectangular background.

Heather Carmona, Chairperson
Birmingham Parks and Recreation Board

A handwritten signature in black ink, appearing to read "Pam Graham", written over a light gray rectangular background.

Pam Graham, Vice Chairperson
Birmingham Parks and Recreation Board



Alex Bingham <abingham@bhamgov.org>

Fwd: Park Plan Comments Letter for City Council

1 message

Jana Ecker <Jecker@bhamgov.org>

Tue, Nov 21, 2023 at 1:17 PM

To: Alex Bingham <abingham@bhamgov.org>

Please put in the agenda in December when the public hearing is scheduled.

Thanks,

Jana L. Ecker
City Manager
Birmingham, MI
(248) 530-1811

----- Forwarded message -----

From: rgibbs@gibbsplanning.com <rgibbs@gibbsplanning.com>

Date: Tue, Nov 21, 2023 at 1:14 PM

Subject: Park Plan Comments Letter for City Council

To: Jana Ecker (jecker@bhamgov.org) <jecker@bhamgov.org>

Jana, I am writing as a lifelong resident to ask the City Council to postpone approval of the Parks and Recreation Master Plan 2024 Draft developed by McKenna Associates. The draft falls short of its outlined objectives for meaningful community outreach, equity, inclusionary accessibility as well as many park design best practices. Please kindly forward my attached letter to the City Council and confirm receipt of this mail.

Sincerely,

Robert J. Gibbs, FASLA, AICP

Gibbs Planning Group

240 Martin Street Birmingham, Michigan 48009

248.642.4800

New Email bob@gibbsplan.com

**Birmingham Park Plan Comments for City Nov 21 2023.pdf**

929K

8C1

21 November 2023

Mayor Elaine McLain
City of Birmingham
151 Martin Street
Birmingham, Michigan 48009

Mayor McLain and City Council:

I am writing as a lifelong resident to ask the City Council to postpone approval of the Parks and Recreation Master Plan 2024 Draft developed by McKenna Associates. The draft falls short of its outlined objectives for meaningful community outreach, equity, inclusionary accessibility as well as many park design best practices.

The plan highlights that 13% of Birmingham children and 50% of its seniors have disabilities. Forty-five percent of the plan's survey respondents stated that the city parks 'fall short' of being walkable and 70% asked for improved walkability and hard surface walks. The plan only recommends installing walking paths in 3 of the city's 28 parks and without Universal Design based hard surfaced walkways.

Birmingham receives 125 days of annual precipitation, with rain and snow, equating to four to six months of soggy ground. These wet conditions turn park stone paths and grass into muddy, unwalkable surfaces. Baby strollers, bicycles, toddlers, wheelchairs, and people with limited walking abilities do not have safe access to those parks with stone-woodchip paths for much of the year. The new Adams-Roper Park lacks wheelchair equitable access to its soccer field and playground features.

The draft plan also only proposes approximately 20 of the recently adapted City-Wide 2040 Plan's 165 specific park improvements. Sidewalks, art, community gardens, micro dog parks and other features are left out of the plan.

Many of the city's parks also need connecting walkways across their large lawn areas. For scale purposes, Pembroke Park equals 5 downtown blocks, Barnum Park-9 blocks, Poppleton Park-15 blocks and Rouge Park 45-blocks. These parks and others are missing any inclusionary hard surface walkways. Park scale comparisons are attached.

The plan also recommends permanent restroom buildings. These facilities are costly to build, maintain and monitor. They can also attract vandalism, graffiti, and public safety matters. Public restrooms are not necessary, except for seasonal sports events, where temporary facilities are more practical.

Lastly, the plan recommends 'standardized' signage, lighting, playgrounds, benches, and furnishings for all 28 parks. Instead, park amenities should reflect the neighborhood's character and residents' preferences. For example, the Rail District's shepherd-hook streetlights reinforce its train heritage. Traditional, wooden English benches were designed for Shain Park in the 2016 Plan to reinforce the Historic District.

Given that the Park Plan will be a blueprint for the first phase of Birmingham's \$11 million park improvements, further community workshops, discussions and design are warranted.

Thank you for your consideration and I look forward to exploring the park's plan further with the Council and the Birmingham community.

Sincerely,



Robert J. Gibbs, FASLA, AICP

Birmingham Parks Scale Comparisons



Figure 1: Downtown Birmingham looking northwest; The 1-acre blocks are based on Thomas Jefferson's grid for walkable places.



Figure 2: Above, Poppleton Park compared to downtown Birmingham. The park equates to 14 city blocks.



Figure 3: Above, Crestview Park's 4-acres equates to 4 city blocks. Right, diagram illustrating potential improved park walkability.

Pembroke Park North Walkway Improvement Proposal

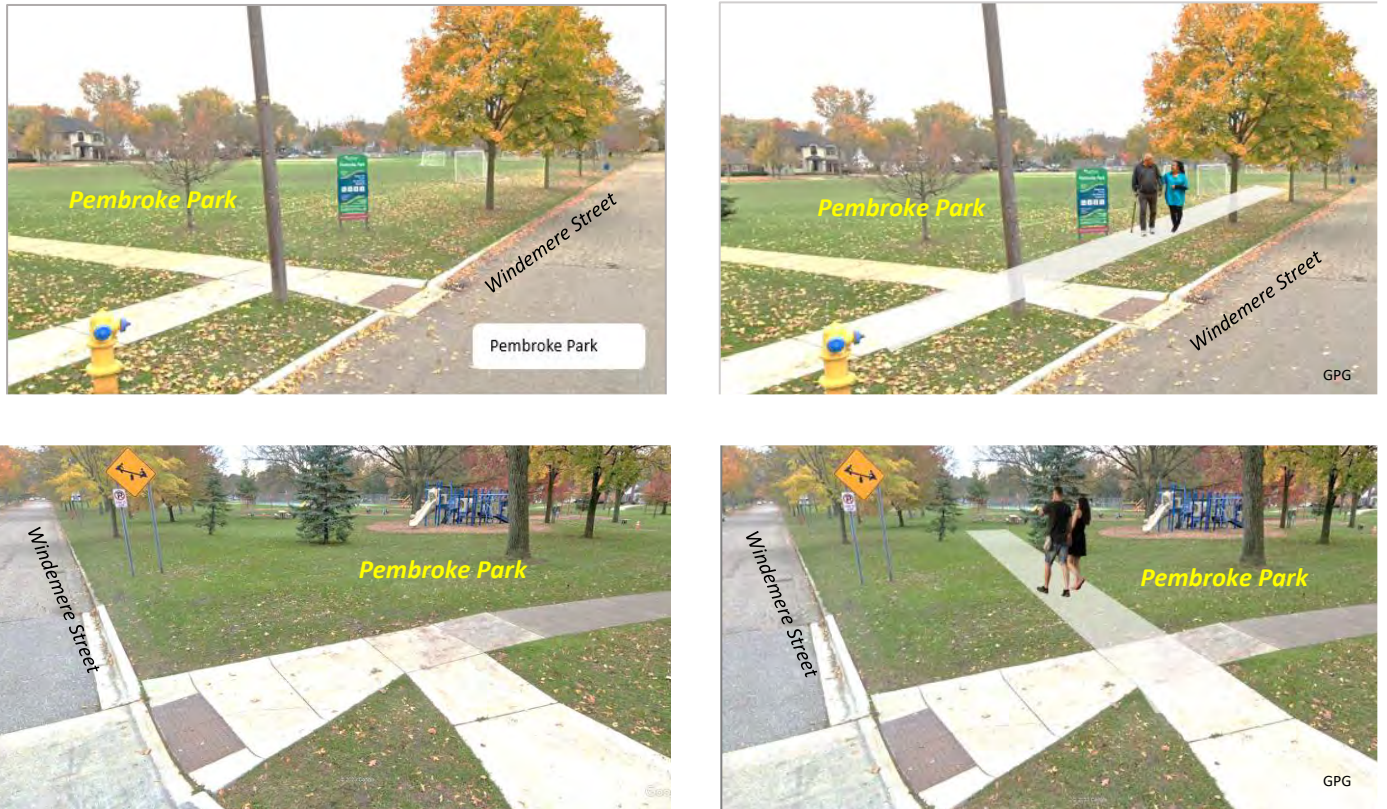


Figure 4: Above, GPG's recommended new sidewalk along Pembroke Park's north edge-Windemere Street.



Figure 5: Pembroke Park's 5-acres equates to 5 Birmingham blocks. Above: potential walkway locations for enhanced access park features..



MEMORANDUM

Department of Public Services

DATE: December 7, 2023

TO: Jana L. Ecker, City Manager

FROM: Scott Zielinski, DPS Director
Carrie Laird, Parks and Recreation Manager

SUBJECT: Parks and Recreation Master Plan Adoption

INTRODUCTION

With the completed Public Hearing, the City Commission may determine the 2024-2028 Parks and Recreation Master Plan is suitable for adoption. The adopted plan will be submitted to the Michigan Department of Natural Resources (MDNR) in order to be eligible for MDNR grant opportunities. As part of the MDNR requirements, the adoption of the Parks and Recreation Master Plan must be a separate agenda item at the City Commission meeting.

BACKGROUND:

In order to be eligible for grants from the MDNR, communities must have an up-to-date five year Parks and Recreation Master Plan on file with the MDNR. The plan serves as a guide for future development of Birmingham's park system and decision making over the next five years.

The planning process has involved significant community participation including four field day events throughout the summer and early fall, two full day roundtable discussions with a variety of stakeholders, an online survey, Parks and Recreation Board agendas, a 30-day review period of the draft plan, and a public hearing this evening.

LEGAL REVIEW:

The City Attorney has reviewed the suggested resolution for adoption of the plan.

FISCAL IMPACT:

There is no additional fiscal impact at this time associated with the adoption of the plan.

SUSTAINABILITY:

This draft plan was developed with sustainability in mind, and endeavors to illustrate robust opportunities for parks to help the community achieve environmental sustainability goals such as replacing lawn areas with areas for low maintenance plants and rain gardens, and planning for low-impact designs using suitable green infrastructure elements.

PUBLIC COMMUNICAITONS:

The adopted plan will be promoted through appropriate communications methods and available on the City's website.

SUMMARY:

The City Commission set a public hearing date of December 18, 2023 in order to consider the adoption of the 2024-2028 Parks and Recreation Master Plan.

The Department of Public Services recommends the adoption of the 2024-2028 Parks and Recreation Master Plan following the public hearing. The plan contains goals, objectives and action steps to serve as a guide for future planning.

ATTACHMENTS:

- Submission Memorandum provided by McKenna
- [Draft 2024-2028 Parks and Recreation Master Plan](#) (web link only)
- Resolution to approve the 5-year, 2024-2028 Parks and Recreation Master Plan

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve the 2024-2028 Parks and Recreation Master Plan, and further to direct the City Clerk to certify the resolution with signature.



Memorandum

TO: City of Birmingham City Commission
FROM: Paul Urbiel, Jane Dixon, Laura Haw and the McKenna Team
SUBJECT: City of Birmingham 2024-2028 Parks and Recreation Master Plan
DATE: December 11, 2023

EXECUTIVE SUMMARY:

Enclosed you will find the draft **Five Year, 2024-2028 Parks and Recreation Master Plan**, (the Plan) which is the culmination of months of significant investigation, analysis, public engagement, and strategic thought.

The city administration is requesting the City Commission host a public hearing and adopt the final draft of the Plan. Public input on the draft plan has been solicited for over 30 days, November 1 – December 4, 2023, and attached to this memorandum is a document that includes all comments received, context regarding the plan topics addressed, and any changes implemented because of the comments received.

As a part of the State of Michigan Department of Natural Resources (MDNR) requirements, the city must host a public hearing prior to adoption of the plan. We are asking that the final plan be adopted by the City Commission after the public hearing takes place. After adoption by the Commission, the plan will be submitted to Oakland County, SEMCOG, and the MDNR for approval. An approved Recreation Plan, including any amendments, must be on file with the MDNR for Birmingham to be eligible to apply for grants through the State of Michigan.

BACKGROUND:

The Birmingham Parks and Recreation Master Plan was last adopted in 2018. Throughout much of 2023, the city has worked collaboratively with McKenna to seek public input and develop a new plan. This Plan's recommendations are underpinned by feedback from a thorough, multi-pronged effort to solicit input from a wide variety of stakeholders over several months of this year. The Plan includes a complete inventory of facilities, programs and services; analysis of the city's recreation system through the lenses of national benchmarks for facilities provision, sustainability, accessibility, and inclusion; a listing of all partners; and goals, objectives and actions.

Goals, objectives, and action steps can serve as a guide for preservation and development of Birmingham's public recreation spaces. They provide many opportunities to enhance the City of Birmingham as a welcoming, inclusive and accessible place to live, work and thrive.

During your December 18, 2023 Commission meeting, a duly noticed Public Hearing for the draft plan will be conducted. After the hearing, the Commission may act to adopt the plan by Resolution. Upon adoption, we will finalize the plan for production, and distribute it to the necessary entities (Oakland County, SEMCOG, and the Michigan Department of Natural Resources).



We look forward to discussing the draft plan during your December 18th meeting. We welcome any questions or comments at any time. Thank you, it has been a pleasure to work with Birmingham residents, elected and appointed officials and the administration on this project.

ACTION REQUESTED:

1. Host a public hearing to solicit public input on the Birmingham 5-Year, 2024-2028 Parks and Recreation Master Plan.
2. Approve the resolution adopting the Birmingham 5-Year, 2024-2028 Parks and Recreation Master Plan.

ATTACHMENTS:

- 5-Year, 2024-2028 Parks and Recreation Master Plan: Draft For Adoption Consideration
- Public Comments Received on the Draft Plan During the Public Comment Period (November 1 through December 4, 2023)
- Draft Adoption Resolution

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION')
1	1-Nov-23	<i>Thank you and team for efforts on the Parks and Rec Updated Master Plan. It is well done.</i>		
		<i>And nice to allow feedback during this phase.</i>		
		<i>The following suggestions / comments are relatively minor and may not be as strategic / broad as the Plan is written.</i>		
		<i>Poppleton Park (which I live near and family uses on weekly basis) The ballfield area - between the parking and field itself could be improved, graded, grass, (potential lighting) at minimum expense and would improve the ball field entrance, access seating, overall quality significantly. There is missing sidewalk from Oxford (one house in from Rivenoak) to the ballfield and tennis courts. Believe there is space between existing tennis courts toward Rivenoak that could be used for additional courts (basketball, tennis, pickelball) or small soccer field or nature/sitting area.</i>	Poppleton Park: Gaps in accessible paths are mentioned in accessibility opportunities (page 77). These comments have been received by staff and will be considered when designing park improvments. Haynes Square: Recommendation of Birmingham Plan (2040 City-wide Master Plan). It is mentioned here because the creation of this square would address the goal of providing more, walkable park space throughout the City, but the text acknowledges that implemenation of this idea is beyond the time horizon and scope of the Parks and Recreatoin Master Plan.	No change.
		<i>The addition of mini parks with vacant land seems like an idea effort to improve some open / vacant land into more useable park areas. The example in the plan of the south area of Old Woodward though as example doesn’t seem like a good idea in terms of shutting/closing Old Woodward access to the south, the impact to businesses in the area, and traffic flow to/from Woodward. Believe there are easier, less (negative) impactful mini parks to develop than that example.</i>		
2	3-Nov-23	<i>The efforts and improvement at the Adams park has greatly increased use at that park. Both for the school / students and the residents. Wonderful job!</i>		
		<i>It was great to read through such a comprehensive master plan. I was glad to see permanent restrooms on the list of action items. However, I think they are needed at Booth Park and did not see Booth Park listed in the current plans for restrooms. Permanent restrooms at Booth Park would be convenient for people at a variety of community events, including the Farmers' Market and outdoor movie screenings in the summer. I would also like to have them for when I am there with my family going on a walk or playing on the playground. Please seriously consider adding permanent restrooms to Booth Park.</i>	Booth Park restrooms are in process as part of current bond issue.	No change.

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION')
		<i>Pleased to see the social responsibility and environmental stewardship pervasive throughout this plan. It is wise to be planning all future projects with sustainability such as solar power and water conservation in mind.</i>		
		<i>Especially happy to note on p.101 that under New Park Space, the properties at Eton/Lincoln and Cambridge/Buckingham (pollinator garden opportunity? Since the railroad removed all the trees along the tracks, that area is pretty raw) are being considered for additional areas of community gathering and neighborhood green space. I have a personal interest in both those areas, as well as Adams Park. Not sure if there are any metrics on the increased usage at Adams Park but my neighborhood (Birmingham Estates) bears witness. I was skeptical and hesitant but the space is fabulous and so well-suited to the needs of the community. I especially appreciate that the park is designed to be used by a wide range of individuals, the water fountain (to include dogs), and the pavilion.</i>		
3	3-Nov-23	<i>What is not working for me:</i> <i>1. Any stationary food building at Booth Park. This violates the original intent of the donation of this land and there are plenty of places, within a few yards, where people can connect and purchase refreshments.</i> <i>2. The choice of bands for the concerts in Shain Park. Big fan of the concerts. The cover bands from last Summer were not exciting. Would like to see more local talent and variety.</i> <i>3. Wish the parks included equipment for Seniors, or at least a broader age range. With our aging population, incorporating Senior-friendly park amenities (fitness stations) and universal design principles for accessibility would be terrific. I see this is addressed in the currents plans a bit.</i> <i>Thank you for asking for community feedback. Thank you for your work. Overall, I am impressed and pleased by the Parks and Recs portion of the Master Plan.</i>	1. Food in Booth Park: Both the Birmingham 2040 Plan and engaged stakeholders during this planning process identified the desire for food and beverage service within parks. 2. Programming of the concerts not within the scope of this plan, comment received by staff. 3. Adult fitness stations at strategic locations throughout the park system are identified as both a short- and long-term priority on page 121.	No change.
4	3-Nov-23	<i>The only comments I have at this point are:</i> <i>1) There is no provision for “senior exercise” in Poppleton Park that I could find. There are a number of seniors in the Poppleton area and now with the crosswalks on Woodward to access the park from the west, I believe senior exercise should be considered.</i> <i>2) Accommodations for food trucks really worries me. I see the need for additional lighting and utility hookups, garbage and trash being continually generated, additional vehicle traffic, etc. I really see no good reason to have food trucks in our parks.</i> <i>3) I am categorically opposed to the installation of restrooms in our parks. I played for the B’Ham senior softball team for 15 years and we played in the Oakland, Macomb, Wayne counties area. I saw very, very few public restrooms built and regularly maintained to a quality standard that Birmingham should demand for these facilities.</i> <i>I think the plan itself is robust with many good metrics!!! And I think you and the P&R Board have a good working document. I am looking forward to what I know will be some super results as a result.</i>	1. Poppleton Park: To this point, adult exercise was not mentioned in Poppleton Park, however the park does have the capacity to accept this amenity and is a feasible candidate for consideration. 2. Accommodation for food and/or beverage service is a persistent theme in the feedback received for this plan and aligns with the Birmingham Plan recommendations. 3. Restrooms are identified as a priority in parks for accessibility, inclusiveness and general usability of the parks. Input received from this plan to this point has been on both sides of this issue, but definitively favors the addition of well-designed and well-maintained restrooms.	Add Poppleton to candidate sites for adult fitness.

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION')
5	4-Nov-23	<i>From playing at and driving by the pickle ball courts, it appears as if there is significant usage of the 6 courts during both open play and when the court have reserved time.</i> <i>Certainly, more usage than what was being delivered by the tennis courts.</i> <i>This is a request for additional pickle ball courts and consideration be given to a location that could support a bubble for the cold weather.</i>	The Board and the City staff have contemplated additional pickleball facilities, and pickleball was a frequent requested amenity in the public engagement for this plan. Birmingham exceeds the national provision of pickleball facilities as identified by the NRPA. Additional pickleball opportunities are available at partner sites and regionally. We agree that providing multi-use facilities at existing tennis courts is a cost-effective way to increase the availability of pickleball facilities.	Add short-term action to study additional pickleball opportunities.
6	5-Nov-23	<i>I am a Birmingham resident (own two homes in the city) and I support renovations at Kenning #1 and #4. Little League is a very beneficial activity for kids and families.</i>	This comment aligns with other feedback gleaned from the survey and commentary at Parks and Recreation Board meetings where the draft plan was discussed. A reconsideration of the design plan for Kenning Park is recommended on page 125, which is a requisite first step in completing improvements to the ballfields.	No change.
7	24-Oct-23	<i>I am writing to recommend that the proposed Park’s and Recreation Master Plan include additional, Universal Design best practices for enhanced accessibility for persons of all ages and mobility abilities.</i> <i>Many city parks are large open spaces with minimal walkability. For example, Pembroke Park needs a sidewalk along its Windemere Street– north edge, to connect Eton and Edenborough Streets.</i> <i>I am attaching graphics to illustrate the scale and my general suggestions for short-term improvements for Pembroke and Crestview Parks.</i> <i>Thank you for your consideration and I look forward to discussing the Park Plan further.</i>	Universal accessibility, additional wheeled access and compliance with ADA, and increased walkability to and within parks is inherent to the plan's goals, objectives and actions.	Add sidewalk recommendations for perimeter of parks. Add clarifying language regarding the definition of "accessible paths" and this plan's relationship to the Birmingham Plan (the 2040 Citywide Master Plan).

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION'
8	7-Nov-23	<i>A couple of things I noticed when reviewing the master plan document:</i> •<i>p. 84 Detention Pond (shouldn't it be "retention"?)</i> •<i>p. 94-96 demographics begin with 0-4, 5-9, 10-14, then skips to >65 (are we missing my age group?)</i> •<i>p.96 the title indicates "Population Over 65" but the legend title describes Ages 5-9 (is the data for the 5-9 or is the legend title a typo?)</i> •<i>p. 110 the bottom graphic has formatting issues (there appear to be 12 data sets, but there are 15 x-axis titles, very difficult to read)</i>	Pg. 84: 'Detention pond' refers to a basin that temporarily stores stormwater runoff and gradually releases it. These facilities help reduce the likelihood that stormwater infrastructure overflows in heavy rain events, but are not intended to be permanently filled with water. "Retention ponds" are designed to permanently store water. Detention pond is what is intended here. Pg. 94-96: The walkability map of parks to the entire city is on page 92. This analysis was conducted to seek opportunities to improve equitable access to the parks, thus the age groups that most stand to benefit from easy, walkable access were studied. P. 96 Correction made. P 110: Correction made.	Corrections made.
9	13-Nov-23	<i>Thank you for soliciting community feedback for the Parks and Recreation Master Plan - I really appreciate how you get citizens involved. I've spoken with multiple residents in our neighborhood and they were curious about the potential to have toilets installed in Adam's Park. As you're aware, Adam's Park is new and beautiful, and having a restroom would greatly enhance its usability for families. If a restroom is far down the list, relative to other parks, is it possible to have a porta-poty installed? They would be appreciated and a great start!</i>	Restrooms are identified as a priority in parks for accessibility, inclusiveness and general usability of the parks. Additional capital improvements at Adams Park are not contemplated within the time horizon of this plan given the recent investment.	No change. Request for temporary restrooms received by staff.
10	14-Nov-23	<i>Wow, what a comprehensive parks and rec plan! Thank you! I am disappointed to see that building more pickleball courts did not make it to the next 1 to 3 year plan. (unless I missed it?) I noted that that was one of the top comments regarding future needs. There seems to be many underutilized tennis courts that may be considered. Has there been any attempt to monitor use numbers? I am also unsure why we need to consider locking the courts??!! I know noise has been a concern, but there are efforts underway to create quieter equipment....</i>	The Board and the City staff have contemplated additional pickleball facilities, and pickleball was a frequent requested amenity in the public engagement for this plan. Birmingham exceeds the national provision of pickleball facilities as identified by the NRPA. Additional pickleball opportunities are available at partner sites and regionally. We agree that providing multi-use facilities at existing tennis courts is a cost-effective way to increase the availability of pickleball facilities.	Add short-term action to continue to identify additional pickleball opportunities, including striping to selected existing tennis courts.

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION')
11	14-Nov-23	<i>I am reaching out to you in regards to the proposed 2024-2028 Parks & Recreation Master Plan. I appreciate that you have opened this up for public remarks. I have taken a look at the draft proposed and I have some real concerns. Not only as a resident of the west side of Birmingham but as a veteran REALTOR® in the Birmingham market.</i>		
		<i>Let me start out by saying I love our community! I love the robust shopping, the charming streets and the parks peppered throughout Birmingham. It's a wonderful selling feature when I'm introducing people to the area. As a parent, it has also been a HUGE asset for my family. When selecting a home in Birmingham, I specifically wanted to be close to a park.</i>		
		<i>I have taken time to review the proposal posted on the website. This plan seems to be OVERLY weighted on the east side of town. I understand that outside guidance was received for creating this plan, taking into consideration several factors. However, I can't help but think there is a more equitable way to approach this. Three of the four parks identified within the report's first priority category are east of Woodward. The 4th park is just a few blocks west of Woodward. All of those parks have other parks close by or a school with a playground. This is a HUGE disservice to the residents and children on the west side of town. It also impacts the desirability for people wanting to come to this side of town. Potentially impacting real estate values. BOTH are a concern for me.</i>	We assume this comment relates to the priorities for Universally-Accessible Playground installation. West Lincoln Well is identified to receive a new playground as part of this bond issue (as a second-priority candidate), which still might occur within the time horizon of this plan. This prioritization is based on the age of the existing equipment, condition of the existing equipment, and presence of children living in a walkable distance from the park.	No change.
		<i>I would like to encourage you to PLEASE reconsider this plan and take into consideration the Lincoln Well Park. It's one of the few parks on the west side of town. It is often visited and seems to be a true treasure to those of us living around it.</i>	Recommended actions and policies are based on inventory of existing amenities, analysis of data and best practices, and public feedback received to date. Investment to west-of-Woodward parks is recommended throughout the action plan.	
12	16-Nov-23	<i>I am asking you to please move the West Lincoln Well Park up to the FIRST PRIORITY category.</i>		
		<i>I read the master plan and am proud that the City of Birmingham values its city parks. My focus is Barnum Park. I read they want to put in “yard games”. I don’t think the park needs “yard games”. The beauty of this open park allows for community members to create their own “games” and how to utilize the space, noting permanent is necessary. We have a playground, ball field, soccer field and enjoy the open space. I liked that we had a seasonal ice rink, although it was rarely used, if ever.</i>		
		<i>Currently, restrooms are set up near the sidewalks. To me, they are an “eye sore”. I like where the restroom are by the parking lot. Do we need them along the sidewalks?</i>	It is worth noting that City-provided temporary restrooms are not near the sidewalk, and the temporary restrooms mentioned belonged to a 3rd party contractor to faciliate utility work.	No change.
13	24-Nov-23	<i>I would not change one thing about Barnum Park. It is quite perfect the way it is, except for the restrooms basically on the sidewalks.</i>		
		<i>I live in the Pembroke Park area of the city. I have noticed the amazing improvements that Bham has made to certain parks throughout the city, namely the beautiful landscaping improvements of such parks as Barnum Park and Quarton Lake Park and others. I see that quite a bit of money must have gone into this extraordinary landscaping for these parks.</i>		
		<i>My recommendation and expectation is that other parks (that may not be central Bham) also get this extraordinary landscaping, as it adds value to our community for everyone.</i>	Comment received by staff.	No change.
		<i>I live near Pembroke park and I see that it could use landscaping in addition to having recreational facilities (like Barnum). Howarth park could also use landscaping.</i>		
		<i>I think with this improvement in landscaping more people (of divergent ages) would visit and could enjoy the parks, landscaping and gardens.</i>		
		<i>Page 7 Change ‘Bathrooms’ to ‘Restrooms’ for document clarity and consistency</i>	Noted and revised.	Revised.
		<i>Page 7 ‘Transform Woodward Environment’ – This may relate more to Master Plan but should include landscape along Woodward south of Lincoln to 14-Mile Rd. and trees within the median south of Chapin to 14-Mile Rd. In addition to above, LED pole lighting to match Royal Oak stretch and safer, well-lit pedestrian crossings.</i>	This plan is focused on City-owned parks and recreation facilities, not other public space or ROW.	No change.
		<i>Page 7 Increased Rouge River Connections – Agree, High priority for me</i>	<i>Environmental Sustainability – Agree, High priority for me</i>	No change.

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION')
14	26-Nov-23	Page 10 Map Graphic – Why is Linden Trail not dark green like Booth Trail? One River / One Trail? Rouge River Trail north of Maple – why not green?	The legend of the map identifies classifications of facilities (e.g., Community Park, Neighborhood Park, etc.). The trails themselves are indicated and all the same color.	No change.
		Page 22 Street Trees need more priority – timely replacement, Native species. Native Trees – more implementation, education is needed on benefits. Invasive Species Removal – Ongoing fight that will only get worse – Action Plan & Volunteer partnerships and education needs to be prioritized	This plan is focused on City-owned parks and recreation facilities, not other public space or ROW.	No change.
		Page 82 Public Restrooms – Why is Shain Park not at the top of the list? Heavily used central park with no permanent restrooms	Restroom prioritization is focused on parks with pavilions/picnic areas, sport fields, and those away from convenient public restrooms.	No change.
		Page 85 Promote Native Trees Species & benefits to birds, insects, & local environment as a priority	The plan discusses the benefits of native species on page 83, and recommends the development of a native planting list for future landscaping improvements on page 121.	No change.
		Pages 86, 87, 91 Prioritize (with increased emphasis) Reduced Lawn Areas / Additional Native Plantings in non-recreational areas	The plan discusses the benefits of native species on page 83, and recommends the development of a native planting list for future landscaping improvements on page 121.	No change.
		Pages 93,129 St. James Park would be a great candidate for green infrastructure improvements	Agreed.	St. James added to list of green infrastructure candidates.
		Page 96 Great Map / One River Trail – One Color?	Noted and revised.	Revised.
		Page 97 Very informative map		No change.
		Page 100 Maps with ages between 14 and 65? Age group evenly spread out around city? Mentioned somewhere?	The walkability map of parks to the entire city is on page 92. This analysis was conducted to seek opportunities to improve equitable access to the parks, thus the age groups that most stand to benefit from easy, walkable access were studied.	No change.
		Page 101 Bike lanes in downtown - a missed opportunity Potential improvements?	This plan is focused on City-owned parks and recreation facilities, not other public space or ROW.	No change.
		Page 101 Haynes Square Don’t quite get this one! To be like Shain Park? Shain Park is in a walkable, center of downtown location – This would be adjacent to high-speed highway! Landscape improvements in existing triangle would be a plus though	Recommendation of Birmingham Plan (2040 City-wide Master Plan). It is mentioned here because the creation of this square would address the goal of providing more, walkable park space throughout the City, but the text acknowledges that implemenation of this idea is beyond the time horizon and scope of the Parks and Recreatoin Master Plan.	No change.
		Page 102 MoGo would be great! Near downtown connections would be a plus		No change.
		Pages 116-119 Goal Statements – Graphic headlines for each goal would help first time readers grasp the important but ‘hard to grasp without reading multiple times’ statements such as ‘ACCESSIBILITY’ & ‘SUSTAINABILITY’	The Guiding Principles in the Executive Summary (Pg 3) attempt to convey these key messages. The goals are admittedly sometimes wordy, but also intentionally written to be inclusive and precise.	No change.
		Page 122 Shain Park Restroom should be a priority Did I miss mention of the Booth Park Restroom?	Restroom prioritization is focused on parks with pavilions/picnic areas, sport fields, and those away from convenient public restrooms. The Booth restroom project is in the process of being implemented and thus is not mentioned for future planning.	No change.
		Page 123 More recycling bins throughout parks and city – Yes!		No change.

Birmingham Parks and Recreation Master Plan: 30-Day Public Review Comment Tracking

#	DATE	PUBLIC COMMENT	MCKENNA RESPONSE / CONTEXT	TRACKED CHANGE ('DRAFT FOR PUBLIC REVIEW' -> 'DRAFT FOR ADOPTION CONSIDERATION')
		Page 125 Invasive Planting Removal – Grants and volunteer partnerships need to be promoted More Native planting – Yes!		No change.
15	3-Dec-23	<i>I wanted to provide some feedback on the draft master plan. Sustainability is really important to me, and I was impressed with how it was addressed early on in the plan, giving much needed background on the risks of climate change and opportunities available to the parks. Pages 80-91 were really good and quite informative! I'm sure myself and many others consider Goal #4 to be the most important goal listed in this plan.</i> <i>The system-wide strategic actions for sustainability were good, but I do have some feedback. Some of the actions/recommendations are vague and do not specifically detail what improvements will be made (i.e. "Complete Rouge River Trail Corridor improvements"). I also would like to suggest that as many environmental sustainability action items get moved to "short term" as possible. Medium term means we will only start seeing visible structural improvements in 4-5 years minimum - this is of most concern regarding the native plants policy and sustainable design guidelines. Prioritizing these types of policy and park-wide changes for short term will allow the city of Birmingham to maximize the positive impact of these actions. The longer we wait to act on climate change, the less impact we will have. Most residents of Birmingham are already noticing the impact of climate change. We need to act fast, and the Parks and Rec Master Plan is a great place to reflect that urgency for action.</i> <i>Thank you for taking the time to consider my feedback and concerns! I look forward to hearing back from you.</i>	There is a concept plan for the entire Birmingham Rouge River trail, available here: https://www.bhamgov.org/about_birmingham/city_departments/public_services/parks___recreation/parks___facilities/parks___recreation_bond.php The action refers to that concept plan. The Executive Summary of the plan describes the context in which this plan was written, including the ongoing efforts toward a climate action plan being led by the City. This plan is published before citywide goals are available. Our intent in this plan is to align parks and recreation policies to support the eventual climate goals, but the timing of the efforts preclude specificity.	Clarifying language added.
16	4-Dec-23	<i>I would like to voice my support for renovations of Field #1 and Field #4 at Kenning Park.</i>	This comment aligns with other feedback gleaned from the survey and commentary at Parks and Recreation Board meetings where the draft plan was discussed. A reconsideration of the design plan for Kenning Park is recommended on page 125, which is a requisite first step in completing improvements to the ballfields.	No change.
17	4-Dec-23	<i>Recommending that a Dog Park area be added to both Adams and Poppleton parks. Currently dog owners consistently use both parks as free run dog parks, allowing their dogs to run off their leash. I personally see dogs off leash ,typically 3 or more times a day, in Adams Park because my house overlooks the park. When dogs are off leash in the park, I feel very uncomfortable and not totally safe when a dog is not leashed.</i> <i>Please add a Dog Park area to both Adams’ and Poppleton’s parks. This will allow dog owners to have their dogs off leash in a safe area. Also, please add additional “Dog Leash Required” signs to the non-dog park areas so the dog leash rule will be followed.</i>	Additional dog infrastructure is included on page 120 as a long-term recommended action. Short-term policy recommendations are also included on page 120 to increase compliance with leash laws.	No change.

**CITY OF BIRMINGHAM
OAKLAND COUNTY, MICHIGAN**

Resolution to Approve the 5-Year, 2024-2028 Parks and Recreation Master Plan

Resolution #_____

At a regular meeting of the Birmingham City Commission, held in the Commission Room at the Birmingham Municipal Building (151 Martin St., Birmingham MI) on December 18, 2023, the following resolution was offered:

WHEREAS, the City of Birmingham has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents during a five-year period covering the years 2024 through 2028; and

WHEREAS, the City of Birmingham began the process of updating its community parks, recreation and natural resource conservation plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities; and

WHEREAS, residents of Birmingham were provided with multiple, well-advertised opportunities during the development of the draft plan to express opinions, ask questions and discuss all aspects of the 2024-2028 Parks and Recreation Master Plan; and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days; and

WHEREAS, a public hearing was held on December 18, 2023, at the Birmingham Municipal Building to provide an opportunity for all residents to express opinions, ask questions and discuss all aspects of the 2024-2028 Parks and Recreation Master Plan; and

WHEREAS, the City of Birmingham has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for the Birmingham community; and

WHEREAS, after the public hearing, the Birmingham City Commission voted to adopt said 2024-2028 Parks and Recreation Master Plan.

NOW, THEREFORE BE IT RESOLVED that the Birmingham City Commission hereby adopts the 2024-2028 Parks and Recreation Master Plan.

Yeas:

Nays:

Absent:

I, _____, Alexandria Bingham, City Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the City of Birmingham at a regular meeting thereof held on the 18th day of December 2023.



MEMORANDUM

Department Name

DATE: December 12, 2023

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Citywide Wayfinding & Signage Master Plan

INTRODUCTION:

The City of Birmingham has had a wayfinding and signage plan since 2004. As a result of the 2004 Citywide Wayfinding and Signage Design Program ("2004 Plan"), four gateway signs were installed, two on Woodward and two on Maple. As a result of the City's recent logo update and increased attention to cohesive branding and communications, the City is proposing to adopt a new, updated Citywide Wayfinding and Master Sign Plan (the "Plan") to replace the 2004 Plan and provide the City with a vision and design for the community's current and future signage needs.

BACKGROUND:

In the spring of 2022, the gateway sign on Woodward at Quarton was damaged due to a vehicular collision and was subsequently removed. Prior to the sign being damaged, the City had begun to explore a number of new wayfinding and branding projects including a gateway sign in the greenspace along S. Old Woodward at Haynes, as well as a new City logo. The concept of an Ad Hoc Wayfinding and Gateway Signage Committee (the "Committee") was introduced to the City Commission on December 6, 2021 ([Agenda](#) – [Minutes](#)).

The Committee consists of professionals from a wide range of disciplines, including a graphic designer, representatives from the Birmingham Bloomfield Art Center and Public Arts Board, Birmingham Shopping District Board members and City staff members representing the following departments: Planning, Manager's Office, Parking, Birmingham Shopping District and Department of Public Services' Parks Division. The Committee was established to not only recommend the adoption of a new logo, but also to address wayfinding signage and other branding in the City as a whole.

As a first major step, the Committee reviewed the existing 2004 Wayfinding Program and determined that it was in need of an update. On January 9, 2023 ([Agenda](#) – [Minutes](#)), after reviewing proposals and interviewing consultants, the Committee moved to recommend that the

City Commission select Corbin Design to help the City update its existing Citywide Wayfinding and Signage Design Program.

On January 23, 2023 ([Agenda](#) – [Minutes](#)), the City Commission moved to approve an agreement with Corbin Design Group for the wayfinding update. Corbin Design has been developing wayfinding plans for 46 years and has done so for more than 100 cities, towns, and regions. Included in their extensive experience are several Michigan communities such as Ann Arbor, Battle Creek, Bay City, Berkley, Chelsea, East Lansing, Frankenmuth, Grand Rapids, Harbor Springs, Holland, Howell, Kalamazoo, Downtown Lansing, Mackinaw City, Meridian Township, Mount Clemens, Petoskey, Downtown Rochester, Saline, Sault Ste. Marie, and Downtown Traverse City.

Corbin Design defines wayfinding as “direction for people in motion,” and states a wayfinding program “...can move people through an area to their intended destination, while also carrying brand and identity elements. It functions like a utility but can behave like a brand.” Their signage design standards integrate municipal signage into a cohesive, user-friendly program that will provide fresh and consistent wayfinding for Birmingham. The plan will provide guidance to Birmingham personnel and outside consultants involved in specifying, fabricating, and installing signs for the City. It is designed to guide the use of the Birmingham design standard, and to assure that it is correctly and consistently applied.

The proposed Wayfinding and Signage Master Plan includes design intent drawings for welcome signs, vehicular guides, pedestrian kiosks, parking structures and more. The Plan also includes a sign location map and messaging schedule showing recommended locations and orientation for each sign type. The fundamental design inspiration came from Marshall Fredericks’ “Freedom of the Human Spirit” sculpture in Shain Park. The sculpture, also depicted in the City of Birmingham and Birmingham Shopping District’s logos, was created for the New York World’s Fair in 1964. In 1983, Marshall Fredericks donated the design for this sculpture to his adopted hometown of Birmingham in honor of the City’s 50th anniversary, and the bronze sculpture was commissioned by the City of Birmingham and dedicated in 1988. The sculpture’s spire silhouette is a prominent feature in the proposed signage.

LEGAL REVIEW:

The City Attorney has reviewed this request and has no objections as to form and content.

FISCAL IMPACT:

The total project cost of \$58,550 is budgeted in account #101.0-701.000-811.0000. The Planning Division initially budgeted \$50,000 in the FY 22-23 budget, and an amendment to draw \$8,550 from the General Fund to cover the difference was approved on January 23, 2023.

SUSTAINABILITY:

Throughout the development of the Plan, City Staff has discussed sustainability options with the Corbin design team. Although wayfinding and signage plans are not major targets for sustainability and climate action, there are considerations to be had for utilizing recycled materials, flexibility in changing sign copy, and utilizing alternative energy and low impact fixtures for sign lighting.

PUBLIC COMMUNICATIONS:

No formal public communications are required for this agenda item. All of the meetings of the Ad Hoc Wayfinding and Branding Committee have been open to the public, and all agendas and minutes are available on the City website.

SUMMARY:

The Planning Division requests that the City Commission consider adoption of the Citywide Wayfinding and Signage Master Plan.

ATTACHMENTS:

- Citywide Wayfinding and Signage Master Plan
- Wayfinding: The Design of Getting Lost and Found

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to adopt the Citywide Wayfinding and Signage Plan for the City of Birmingham.



WAYFINDING & SIGNAGE MASTER PLAN

DECEMBER 2023
DRAFT

INTRODUCTION

The city of Birmingham, Michigan hired Corbin Design to provide consulting and design services to update the city's wayfinding and signage program. This includes development of new signage design standards that integrate municipal signage into a cohesive, user-friendly program that will provide fresh and consistent wayfinding for Birmingham.

This Master Plan document provides guidance to Birmingham personnel and outside consultants involved in specifying, fabricating, and installing signs for the city. It is designed to guide the use of the Birmingham design standard, to assure that it is correctly and consistently applied.

Corbin Design Team
Jeff Frank, Design Director, jeff@corbindesign.com
Rebecca Dixon, Designer, rebecca@corbindesign.com
Moira O’Polka, Project Manager, moira@corbindesign.com

MASTER PLAN OBJECTIVES

- Complement the environment and coordinate with other street scape elements.
- Create a strong first impression with visitors.
- Boost visitor satisfaction.
- Improve Birmingham’s tourism business by encouraging exploration, longer stays and return visits.

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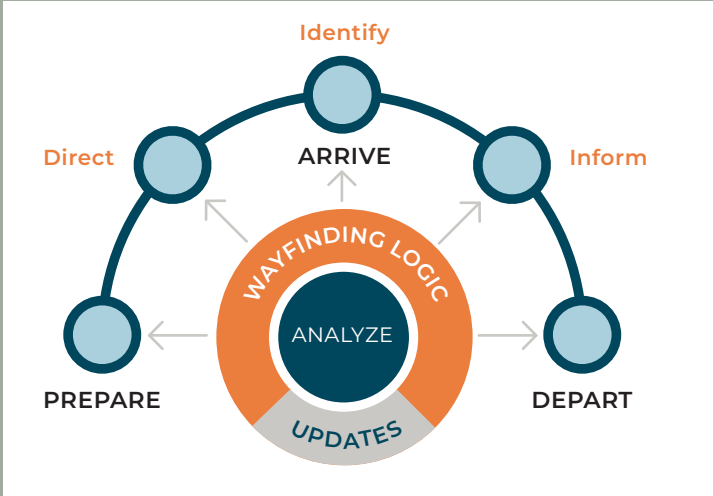
ELEMENTS OF SUCCESSFUL A WAYFINDING PROGRAM

WHAT IS WAYFINDING?

Corbin Design defines wayfinding as “direction for people in motion.” A wayfinding program is a unique utility for communities because it can move people through an area to their intended destination, while also carrying brand and identity elements. It functions like a utility but can behave like a brand.

Successful wayfinding programs are more than attractive signs. The signs are a result of the wayfinding logic. This logic is a series of strategies and recommendations that outlines the overall plan to inform and direct visitors along pre-determined routes to districts, public parking and destinations.

The Journey Map below depicts potential opportunities to influence the visitor’s interaction with navigation and orientation tools. This includes previsit research though digital and print media all the way through to physical signage.



DESIGN FOR THE FIRST-TIME VISITOR.

Repeat visitors will rely heavily on their own experience. The simplest route between two points may not be a straight line, particularly for a visitor who is unfamiliar with Birmingham. Our goal will be to help direct that first-time visitor, assuring a positive experience and future return visits.

STRUCTURE INFORMATION.

Tools designed to support a visitor’s journey must provide the proper information at key decision points to keep visitors moving toward their destination. We call this concept “Progressive Disclosure.” The challenge, then, is to verbally and visually simplify the information in the system. Consistency is the key to success.

SUPPORT INTUITION.

Wayfinding systems work best when they build upon routes that are intuitive to first-time visitors. Wayfinding cues should come as much as possible from the environment itself. This way everyday people can help support consistent wayfinding if asked for directions.

DESIGN THE SYSTEM FOR EASY UPDATING.

The system needs to be designed to be able to expand or change as the city does. The need to change a single message should not require the replacement of an entire sign structure.

SIGN TYPE EXAMPLES



Vehicular Guide Sign



District Boundary Marker



Parking Identification Sign -



Pedestrian Map Kiosk

CORBIN DESIGN DEFINES WAYFINDING AS
**“DIRECTION FOR
PEOPLE IN MOTION.”**

DESTINATIONS

A wayfinding program is only as good as the information it contains. It is important to consider destination names that are included on wayfinding signage for consistency, clarity and fit.

The Wayfinding & Signage Committee have established a local criteria for a destination’s inclusion on wayfinding signage, particularly vehicular signage. The criteria should comply with Michigan Department of Transportation (MDOT) and the Manual for Uniform Traffic Control Devices (MUTCD) standards.

Because MDOT will only allow for three destinations on a vehicular guide sign, space on there is limited. Destinations that do not meet criteria for inclusion on vehicular signs can be included on the pedestrian level. The destination list to the right has established the priority in which destinations should appear.

In order for a destination to appear on vehicular signage, it must meet the following criteria set by the DOT (unless otherwise approved by the Committee for installation along city-owned roads.)

CRITERIA FOR DESTINATION INCLUSION:

- Be a public destination.
- Be a not-for-profit destination.
- Be open year-round.
- Have ample public parking.
- Have high attendance relative to the area.

DESTINATIONS & HIERARCHY

Destination Name	Appears on Vehicular Signage	Appears on Pedestrian Signage & Maps	Destination Type
Downtown	x	x	District
Market North	x	x	District
Haynes Square	x	x	District
Rail District	x	x	District
Chester Street Garage	x	x	Public Parking
North Old Woodward Garage (and surface lot)	x	x	Public Parking
Park Street Garage	x	x	Public Parking
Peabody Street Garage	x	x	Public Parking
Pierce Street Garage	x	x	Public Parking
Public Parking Lot 6	x	x	Parking
Baldwin Public Library	x	x	Library
Booth Park		x	Park
Emagine Palladium Theatre	x	x	Entertainment
Kenning Park		x	Park
Poppleton Park		x	Park
Shain Park	x	x	Park
The Birmingham Museum	x	x	Museum
Barnum Park		x	Neighborhood Park
BBAC Birmingham Bloomfield Art Center		x	Museum
Birmingham Ice Sports Arena		x	POI
City Hall	x	x	POI
Greenwood Cemetery		x	POI (point of interest)
Lincoln Hills Golf Course		x	Entertainment
Springdale Golf Course		x	Entertainment
The Birmingham 8		x	Entertainment
The Community House		x	POI
Amtrak Rail Station - Troy Transit Center		x	Transit
Lincoln Hills Dog Park		x	Park
Quarton Lake Park		x	Park
The Townsend Hotel		x	POI

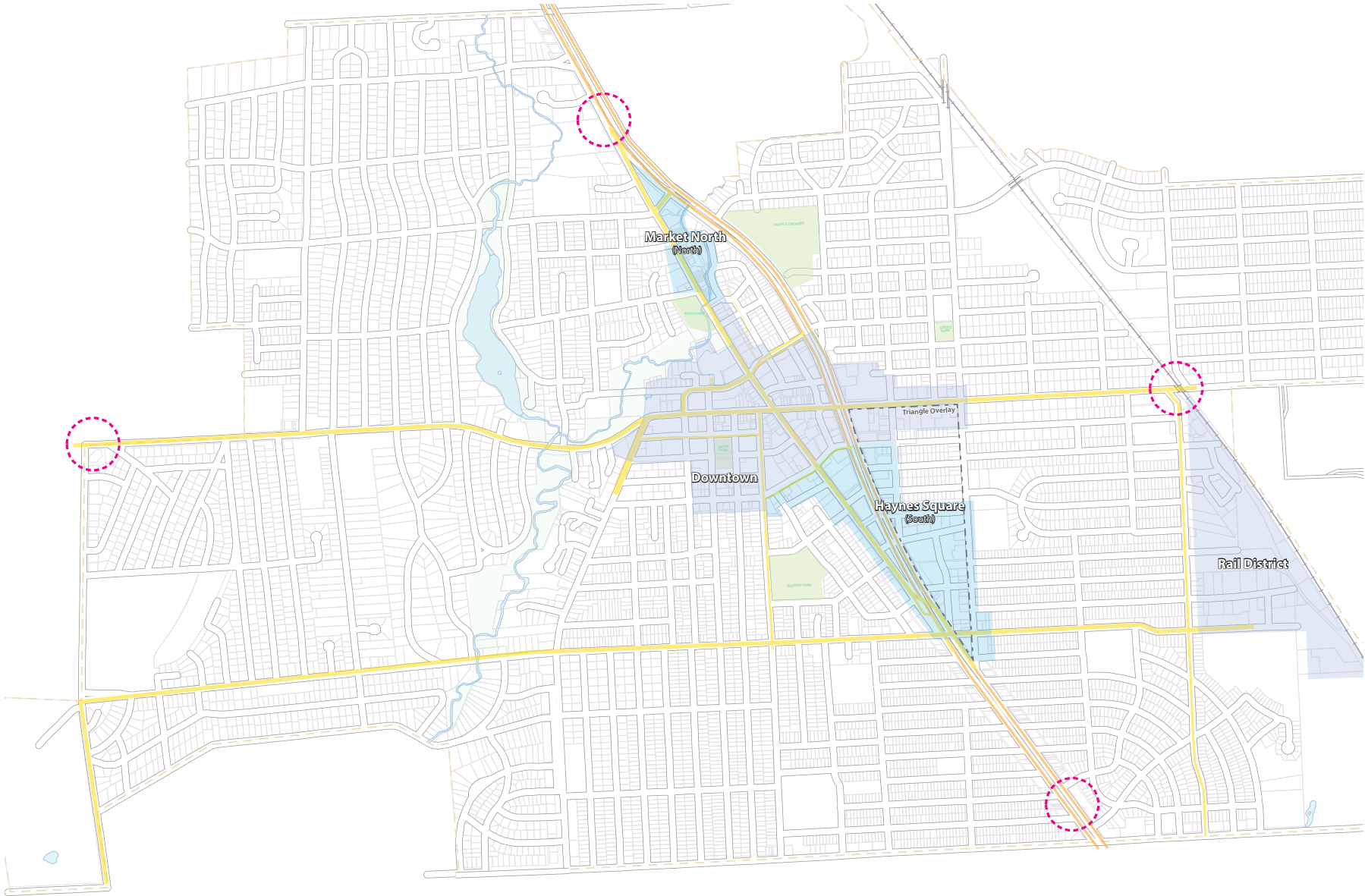
WAYFINDING RECOMMENDATIONS

IDENTIFY AND PROMOTE CITY BOUNDARIES

The metro-Detroit area is thriving and the need for communities to standout from their competitors to attract new businesses, residents and visitors is apparent. Local communities, including Royal Oak and Berkley, have implemented wayfinding systems to highlight city boundaries, brand the community and direct to top destinations so that visitors associate their positive experience with the community.

Because of how fluid the experience is traveling from one community to the next, especially along Woodward Ave., Birmingham needs to improve its gateway signage and celebrate the visitor's arrival into the city by highlighting the main city boundaries with gateway signs that reflect the city's brand and identity. This is Birmingham's first opportunity to create a WOW! factor along the visitor's journey.

Once introduced to the community, it is important to keep visitors active in Birmingham by connecting them to the different areas and destinations around the city while continuing to reinforce the city identity. It is important for visitors to understand that the positive experiences they are having are happening in Birmingham. This will lead to further exploration and return visits.



Existing signage from surrounding communities:



WAYFINDING RECOMMENDATIONS

CONTROL CIRCULATION

As visitors navigate Birmingham, there are multitudes of routes that can be used to get to a destination, particularly when relying on GPS or smartphones. These tools are great to get visitors to a destination efficiently but that is it. The wayfinding plan will allow Birmingham to control vehicular circulation by highlighting and supporting the best routes. Visitors will be directed along routes that are visually appealing, can handle the traffic, easily connect destinations and districts, and have easy access to public parking opportunities.

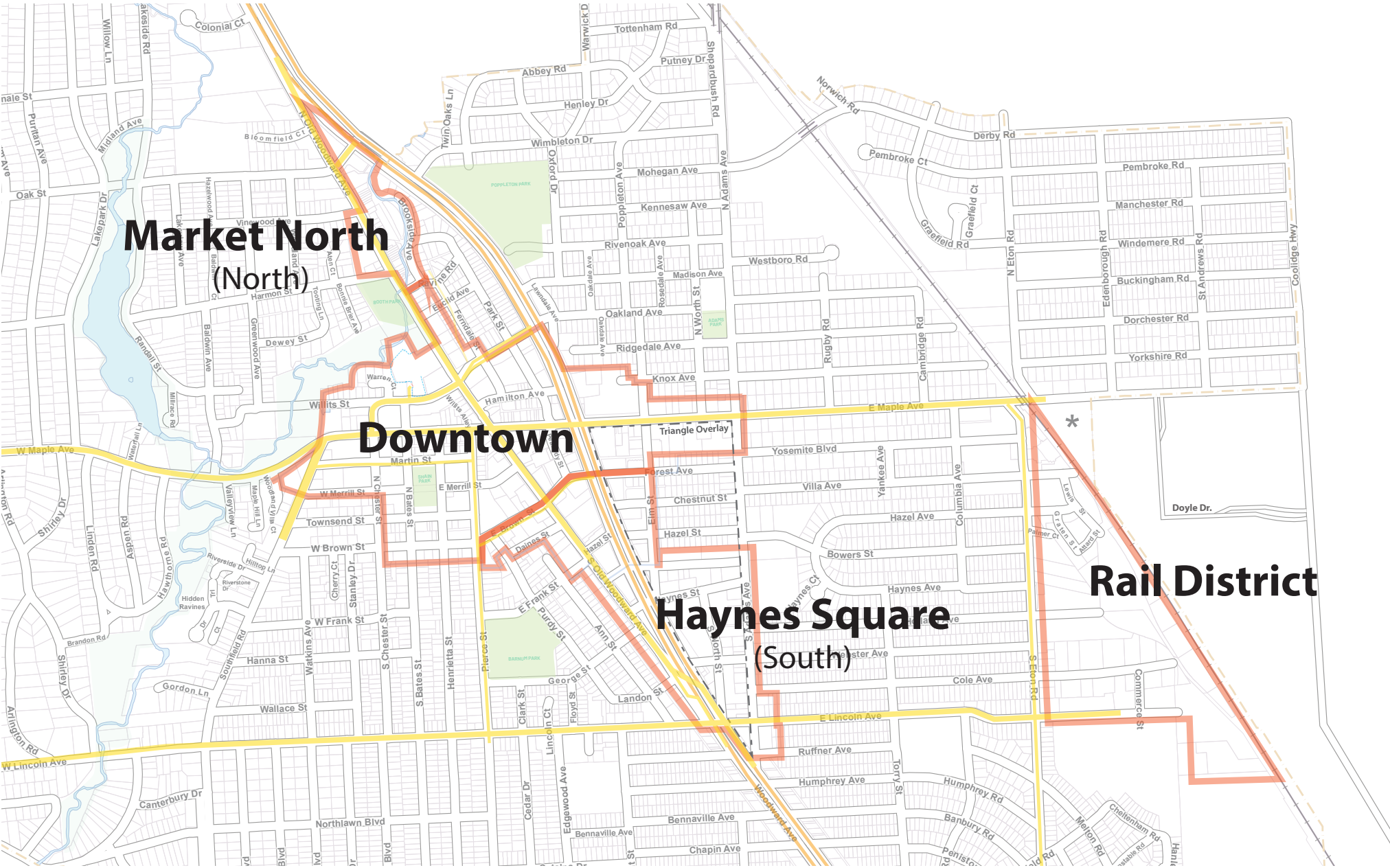
FORMALIZE WAYFINDING DISTRICTS

One of the biggest challenges when developing a wayfinding program is finding a way to succinctly communicate directions for first-time visitors. For Birmingham, it was necessary to evaluate Birmingham's major centers of activity as well as the Master Plan in order to formalize a wayfinding district plan.

When creating a wayfinding district, it is important to create soft boundary edges so that the district can grow to accommodate future developments. It is important to note that a wayfinding district is different than a neighborhood, planning district or business-development district; it must be home to a variety of destinations and amenities for visitors.

Birmingham's Wayfinding Districts:

- Downtown
- Market North
- Haynes Square
- Rail District



WAYFINDING RECOMMENDATIONS

DEVELOP PARKING GARAGE IDENTITY

One of the most stressful parts of a visitor's journey is finding a place to park. The biggest challenge is not always parking availability but knowing where to park. In Birmingham, the parking problem is much more of a perception issue than a reality.

The city parking garages need to be treated as major destinations within the city because the sooner visitors can confidently get to parking, the sooner we can transition them to informed, confident pedestrians which helps to maintain the city's mission of a walkable community.

Parking Garages should be formally identified by street name and will each have a unique color associated with it to help create an individual brand for each garage to assist with navigation to and from the garages. With several parking garages beginning with the letter "P" visitors may get confused; the color will serve as a secondary identifier.

Exterior parking garage signage has been developed as a part of the overall Wayfinding Master Plan to create a consistent signage standard so that visitors can clearly identify public parking opportunities.

GARAGE IDENTIFICATION SIGNAGE



IMPROVE PEDESTRIAN WAYFINDING

After spending time in Birmingham, it is no surprise that the city was named one of the country's most walkable communities, specifically in and around Downtown. However, to the uninitiated visitor, the walkability can be daunting. A pedestrian wayfinding plan has been developed as a part of this Wayfinding Master Plan. The primary goal of the wayfinding system is to provide a the wealth of information about Birmingham that the vehicular signs cannot. Pedestrian signs helps as visitors

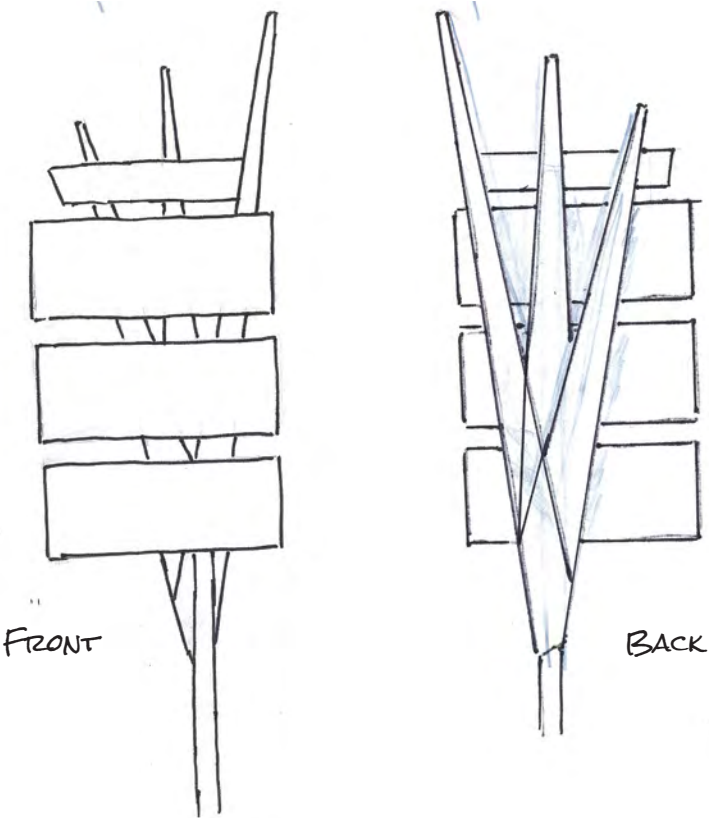
transition from vehicular to pedestrian by communicating where they are and where they can go from that point.

Pedestrian kiosks give the city an opportunity to communicate the depth of destinations through maps and technology integrations like URLs and QR codes while also providing visitors the opportunity to stay out of their phone. Destinations

will be directed to including the distance in minutes, pulled directly from Google. Maps will be used to highlight walking radiuses and to highlight city amenities like the Vias and parking garages.



DESIGN INSPIRATION



INITIAL CONCEPT SKETCH

DESIGN DIRECTION



City logo inspired by "Freedom of the Human Spirit" sculpture



Freedom of the Human Spirit



Color inspired by theater marquee



Upper-case font inspired by marquee

Abstract sunburst

BIRMINGHAM
WELCOMES YOU

Spire silhouette inspired by sculpture

Metallic bronze finish inspired by granite



Welcome Sign



Vehicular Guide Sign



Pedestrian Map Kiosk

Green-grey inspired by city logo



CITY OF BIRMINGHAM

WAYFINDING SIGNAGE

DESIGN INTENT DRAWINGS

10.20.23

corbindesign.com | 415 S Union, Second Floor, Traverse City, MI 49684 | info@corbindesign.com | (231) 947-1236

All ideas, designs, represented by these drawings are owned by, and property of the **City of Birmingham** and **Corbin Design** and were created, evolved and developed for use in connection with **the City of Birmingham** and its entities. None of these ideas, designs, arrangements or plans shall be used by or disclosed to any person, firm or corporation for any purpose without the written permission of **the City of Birmingham** and **Corbin Design**.



COLOR PALETTE

					
1 WHITE	2 GARNET	3 GRAY-GREEN	4 METALLIC BRONZE	5 METALLIC GOLD	6 CHAMPAGNE
Pantone®: --	1817 C	418 C	000 C	000 C	000 C
CMYK / HEX#: 0, 0, 0, 0	0, 0, 0, 0	0, 0, 0, 0	0, 0, 0, 0	0, 0, 0, 0	0, 0, 0, 0
Matthews Paint: MP31645 Designer White	MP16105 Barolo	MP07102 Deep River	MP	MP42607 Greenward Brz Met.	MP
Vinyl: 3M 7125/7725 - Matte White 20	--	-Print to match	--	--	--
Reflective Vinyl: --	--	-Print to match	--	--	--
Other: --	--	--	--	--	--

* All paint finishes to have Matthews Paint 290228SP Super Satin Clearcoat (or equivalent) for the following benefits: 10-Year chalk resistance, Superior UV resistance, Exceptional gloss retention, Mar and abrasion resistant, Dirt-shedding.

				
10 ORANGE	11 YELLOW	12 GREEN	13 BLUE	14 PURPLE
---	---	---	---	---
---	---	---	---	---
---	---	---	---	---
---	---	---	---	---

TYPOGRAPHY

Highway Gothic - Regular

Aa Bb Cc Dd Ee Ff Gg Hh Ii Jj Kk Ll Mm Nn Oo Pp Qq Rr Ss Tt Uu Vv Ww Xx Yy Zz 1234567890

Highway Gothic Condensed - Regular

Aa Bb Cc Dd Ee Ff Gg Hh Ii Jj Kk Ll Mm Nn Oo Pp Qq Rr Ss Tt Uu Vv Ww Xx Yy Zz 1234567890

Gotham - Bold

Aa Bb Cc Dd Ee Ff Gg Hh Ii Jj Kk Ll Mm Nn Oo Pp Qq Rr Ss Tt Uu Vv Ww Xx Yy Zz 1234567890

Gotham - Medium

Aa Bb Cc Dd Ee Ff Gg Hh Ii Jj Kk Ll Mm Nn Oo Pp Qq Rr Ss Tt Uu Vv Ww Xx Yy Zz 1234567890

The fonts used for this project were selected specifically for this project by the Designer and Owner. No substitution of any other typefaces may be made. Under no circumstances are typefaces to be electronically distorted (“squeezed” or “extended”) for purposes of fitting to the specified sign or general alteration of the sign face composition unless noted in the drawings. This includes (but is not limited to) stretching, squeezing, tilting, outlining or shadowing.

Typesetting Examples:

Apostrophe: Don't use inch mark

Visitor's CORRECT --Visitor's-- INCORRECT

Tracking: the horizontal spacing between a range of letters or characters.

Tracking: -100 TRACKING
Tracking: 0 TRACKING
Tracking: 100 TRACKING

Cap height: Height of a capital letter that is flat, such as H, I or T.

Leading: the vertical distance between two baselines of type.

Ligatures: When two or more letters are joined to form a single glyph. Turn them off.

Office CORRECT --Office-- INCORRECT

ARTWORK

BIRMINGHAM
DOWNTOWN

BIRMINGHAM
WELCOMES YOU

ARROWS / LOGOS



SYMBOLS / ICONS

	Peabody St. Garage	Pierce St. Garage	Chester St. Garage	Old Woodward Garage	Park Street Garage
					
Symbol Meaning	Parking	Parking	Parking	Parking	Parking
Appears in Sign Message Schedule	[P10]	[P11]	[P12]	[P13]	[P14]

Graphic Standards
Colors, Typography,
Arrows, Logos

Fabricator is responsible for matching all colors and materials as specified and are required to provide the Owner color and material samples for approval.

CAUTION! CONSISTENT AND ACCURATE COLOR REPRODUCTION IN THIS DOCUMENT CANNOT BE ASSURED DUE TO THE LIMITATIONS OF COLOR COPYING TECHNOLOGY.

The Coated Pantone Matching System®, Akzo Nobel Paint system and Matthews Acrylic Polyurethane are used for specifying signage color matches. (In the absence of actual sign material color chip reference sets, actual specified product color swatches should be referenced for color matching.)

Shown here are approximations of the primary signage background colors and supporting accent colors. Actual color finishes on signage must be matte or low luster (not shiny or glossy) and exclusively a premium acrylic polyurethane. Except for the high gloss anti-graffiti coating (Sikkens LV Anti Graffiti Clear).

Signage paints produced by Matthews Paint and Akzo Nobel Paint Company are to be the standard reference.

If vinyl films are required, 3M or Oracal are to be the standard.

Color application varies per sign type. Refer to specific design intent drawings for application details.

Date	Description
10/20/23	Draft Submittal

Note:
All, maps, graphics, symbols, and destination listings are for placeholder only. Reference the Message Schedule for exact messaging.

Client



CORBIN
DESIGN

415 S Union, 2nd Floor
Traverse City, MI 49684
(231) 947-1236

Sign Type Array



ID-1 : Ground-Mounted Identification, Large

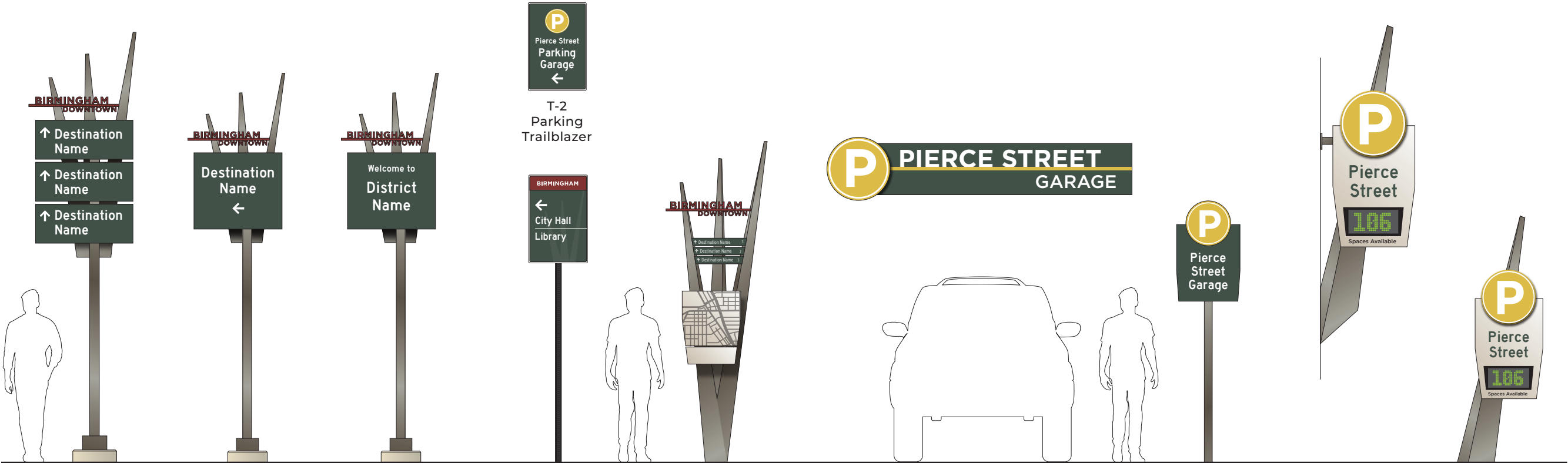
ID-2 : Ground-Mounted Identification, Medium

G-4
Header for MDOT Guide,
Large

G-5
Header for MDOT Guide,
Medium

Colors

- 1 White
- 2 Garnet
- 3 Gray-Green
- 4 Metallic Bronze
- 5 Metallic Gold
- 6 Champagne
- 10 Orange
- 11 Yellow
- 12 Green
- 13 Blue
- 14 Purple



G-1
Directional
Large

G-2
Directional
Small

G-3
District Identification

T-1
Secondary
Trailblazer

K-1
Pedestrian Kiosk

P-1
Parking Garage
Wall Identification

P-2
Parking Entrance
Identification

P-3
Parking Garage
Projecting
Counter

P-4
Parking Garage
Freestanding
Counter

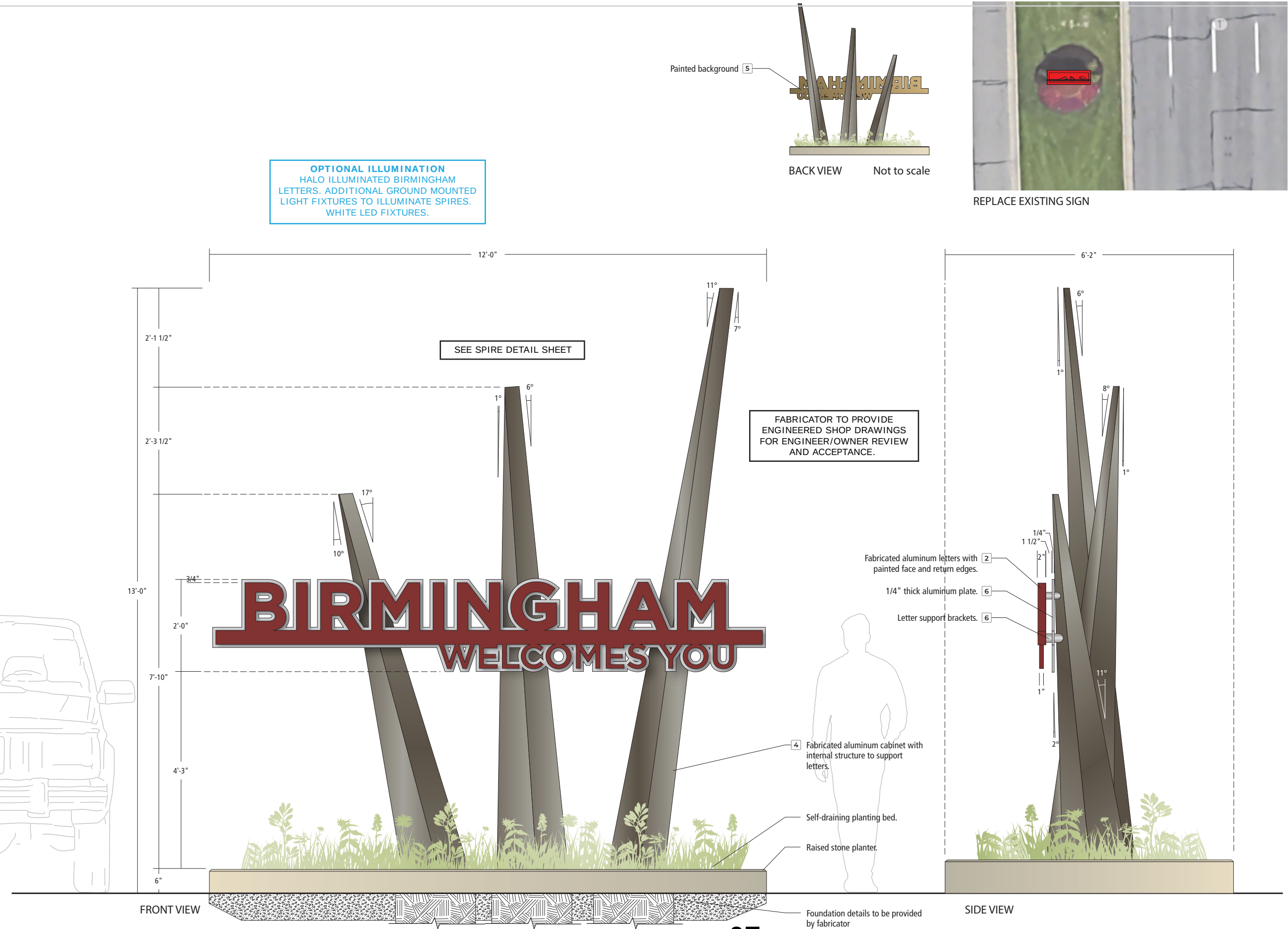
Date	Description
10/20/23	Draft Submittal

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Client



415 S Union, 2nd Floor
Traverse City, MI 49684
(231) 947-1236



ID-1

Ground-Mounted
Identification, Large

- Colors**
- 1 White
 - 2 Garnet
 - 3 Gray-Green
 - 4 Metallic Bronze
 - 5 Metallic Gold
 - 6 Champagne
 - 10 Orange
 - 11 Yellow
 - 12 Green
 - 13 Blue
 - 14 Purple

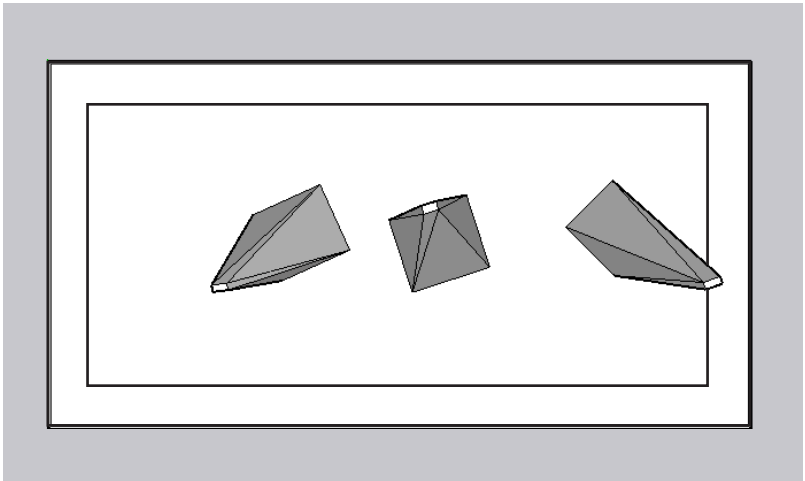
Date	Description
10/20/23	Draft Submittal

Note:
All, maps, graphics, symbols,
and destination listings are for
placeholder only. Reference the
Message Schedule for exact
messaging.



CORBIN
DESIGN

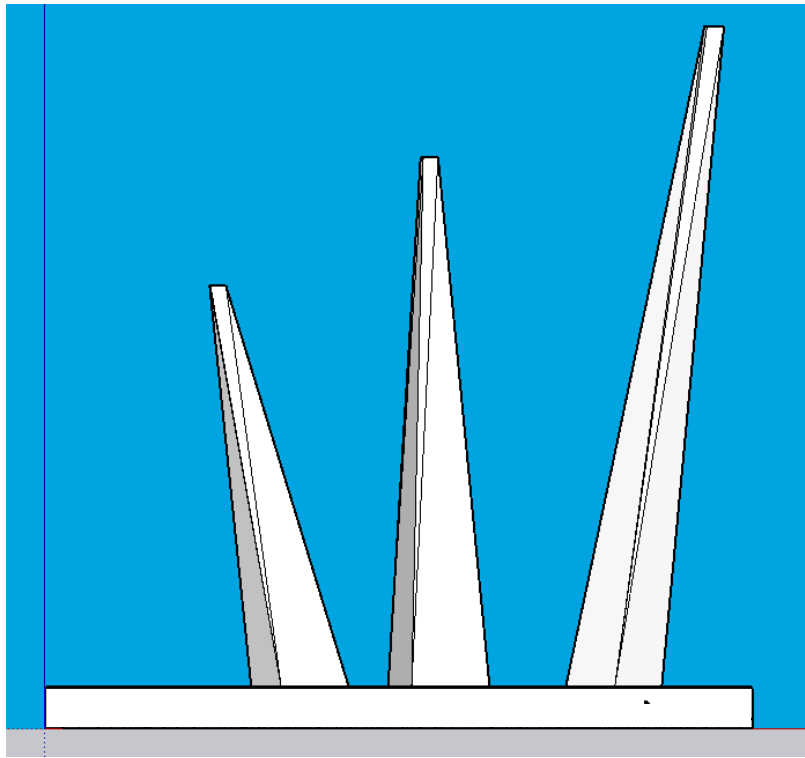
415 S Union, 2nd Floor
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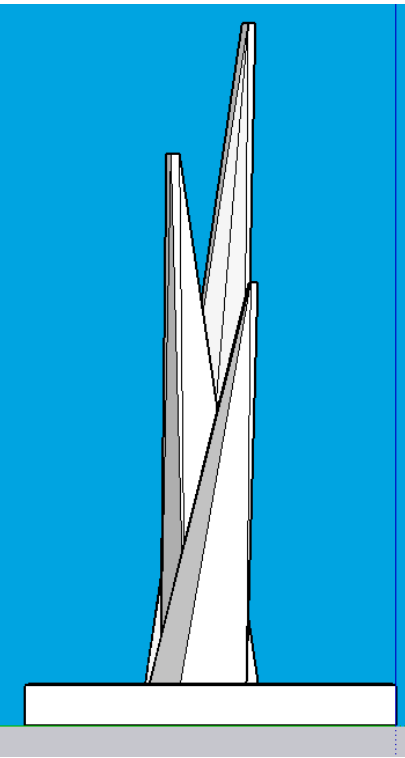
TOP VIEW



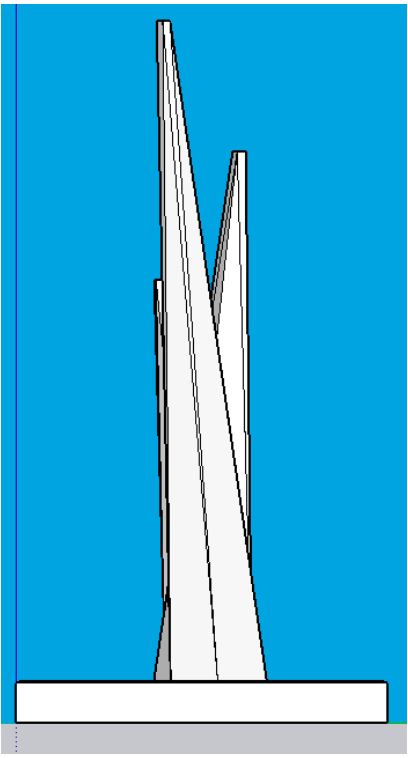
3D MODEL



FRONT VIEW



SIDE VIEW 1



SIDE VIEW 2

Colors

- 1 White
- 2 Garnet
- 3 Gray-Green
- 4 Metallic Bronze
- 5 Metallic Gold
- 6 Champagne
- 10 Orange
- 11 Yellow
- 12 Green
- 13 Blue
- 14 Purple

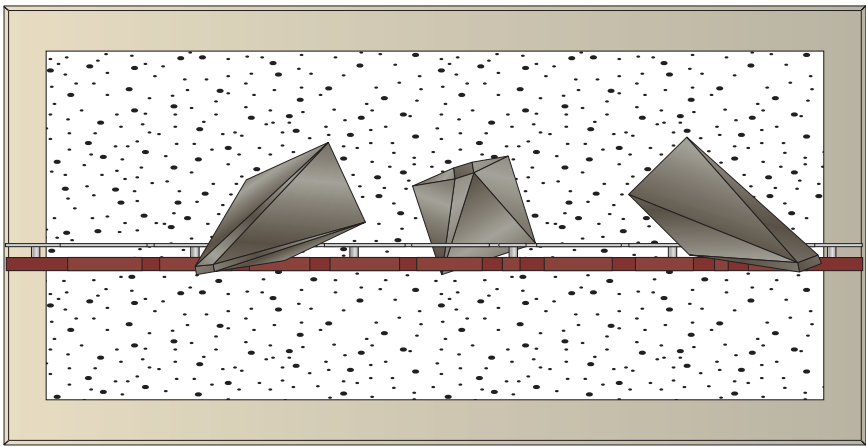
Date	Description
10/20/23	Draft Submittal

Note:
All, maps, graphics, symbols, and destination listings are for placeholder only. Reference the Message Schedule for exact messaging.

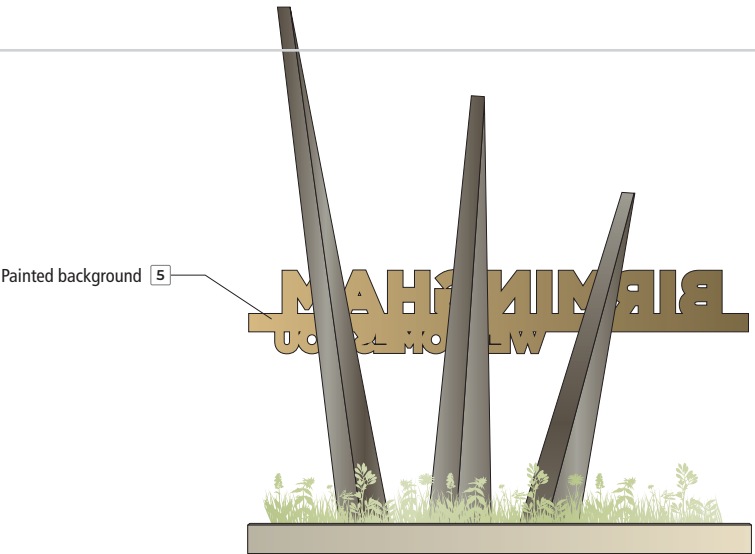
Client



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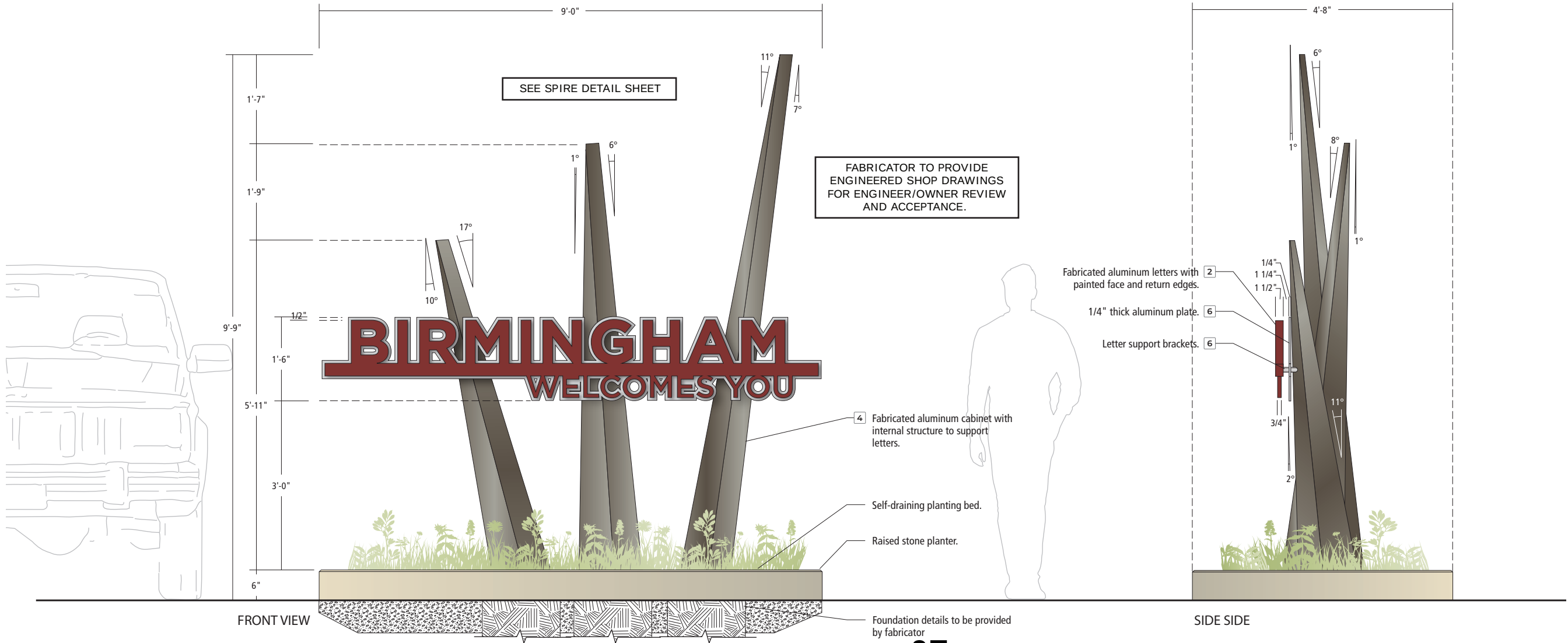


TOP VIEW



BACK VIEW

Not to scale



ID-2
Ground-Mounted
Identification, Medium

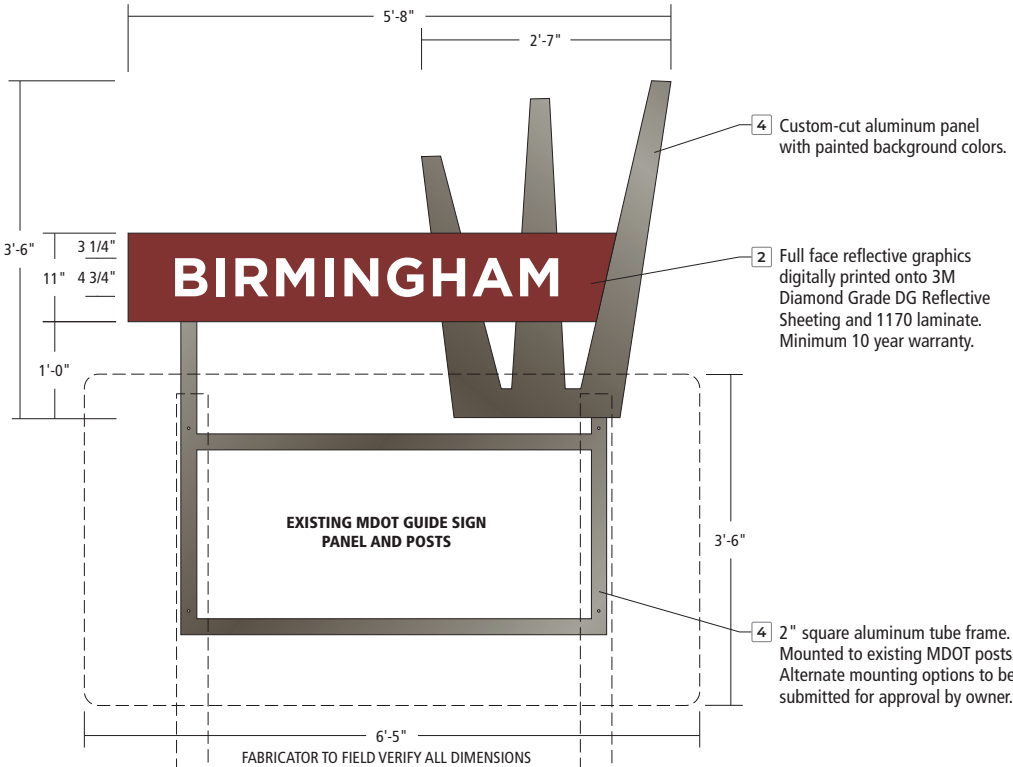
- Colors
- 1 White
 - 2 Garnet
 - 3 Gray-Green
 - 4 Metallic Bronze
 - 5 Metallic Gold
 - 6 Champagne
 - 10 Orange
 - 11 Yellow
 - 12 Green
 - 13 Blue
 - 14 Purple

Date	Description
10/20/23	Draft Submittal

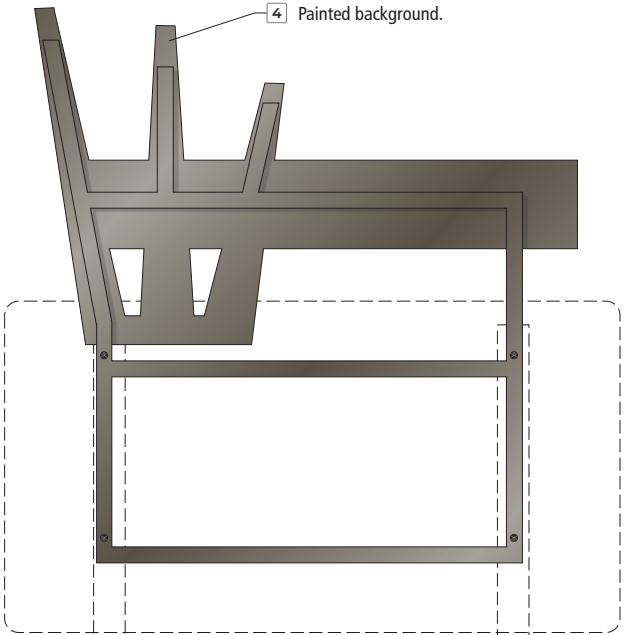
Note:
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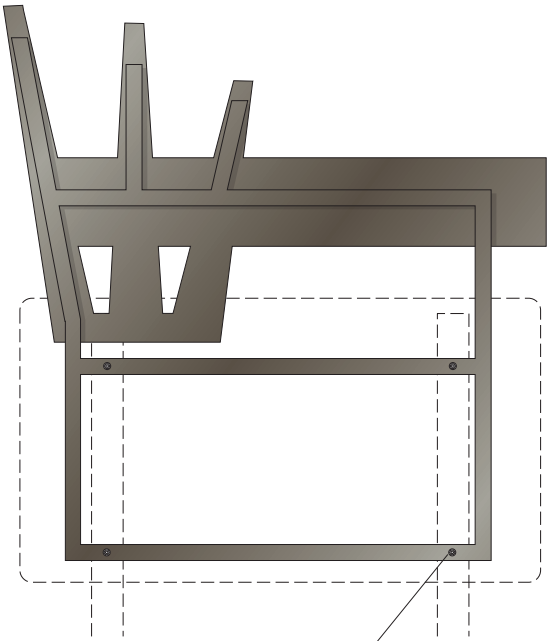
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G-4 FRONT VIEW



BACK VIEW



G-5 ALTERNATE MOUNTING

Colors

- 1 White
- 2 Garnet
- 3 Gray-Green
- 4 Metallic Bronze
- 5 Metallic Gold
- 6 Champagne
- 10 Orange
- 11 Yellow
- 12 Green
- 13 Blue
- 14 Purple

Date	Description
10/20/23	Draft Submittal

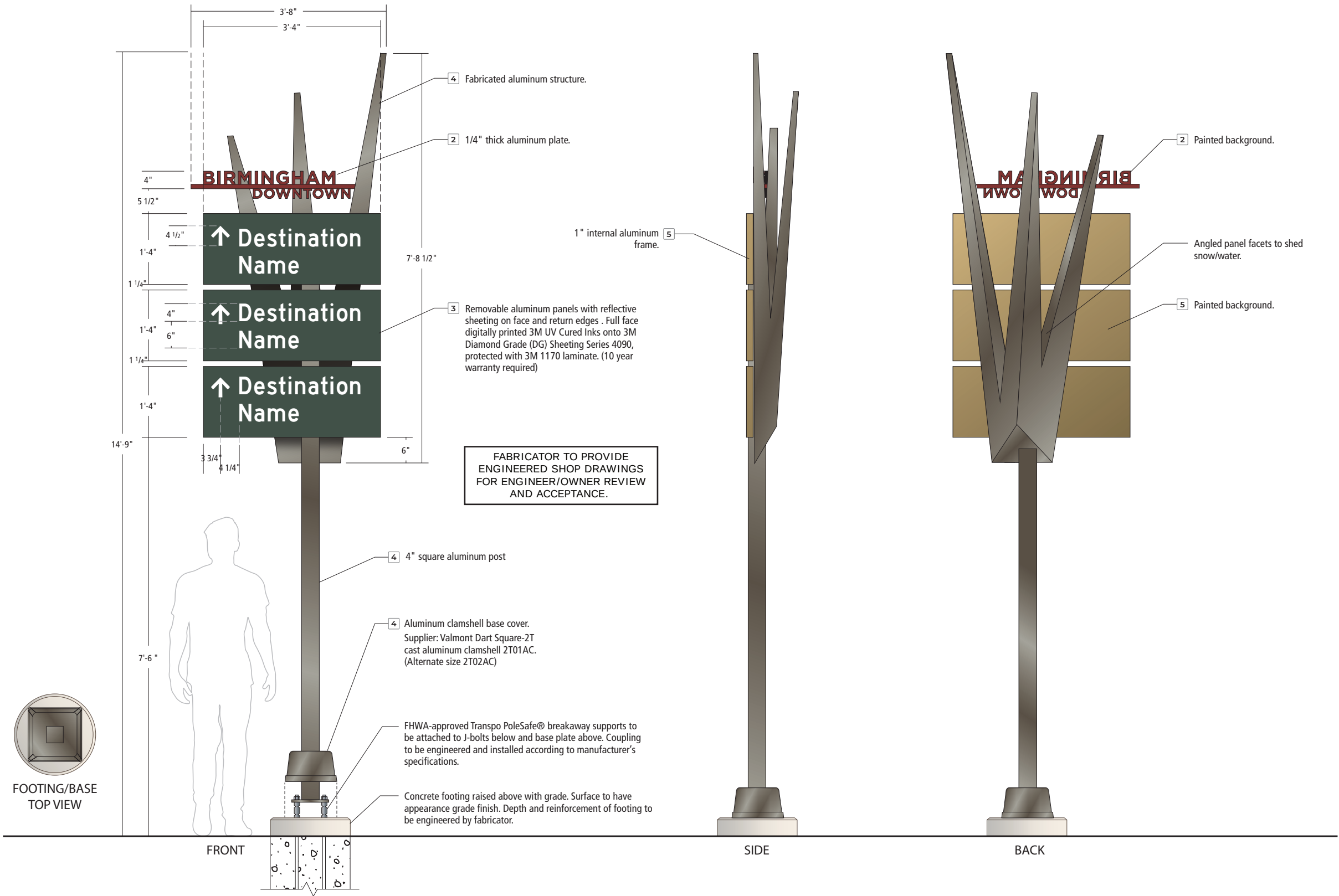
Note:
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G-1
Traffic Directional,
Large



Colors

- 1 White
- 2 Garnet
- 3 Gray-Green
- 4 Metallic Bronze
- 5 Metallic Gold
- 6 Champagne
- 10 Orange
- 11 Yellow
- 12 Green
- 13 Blue
- 14 Purple

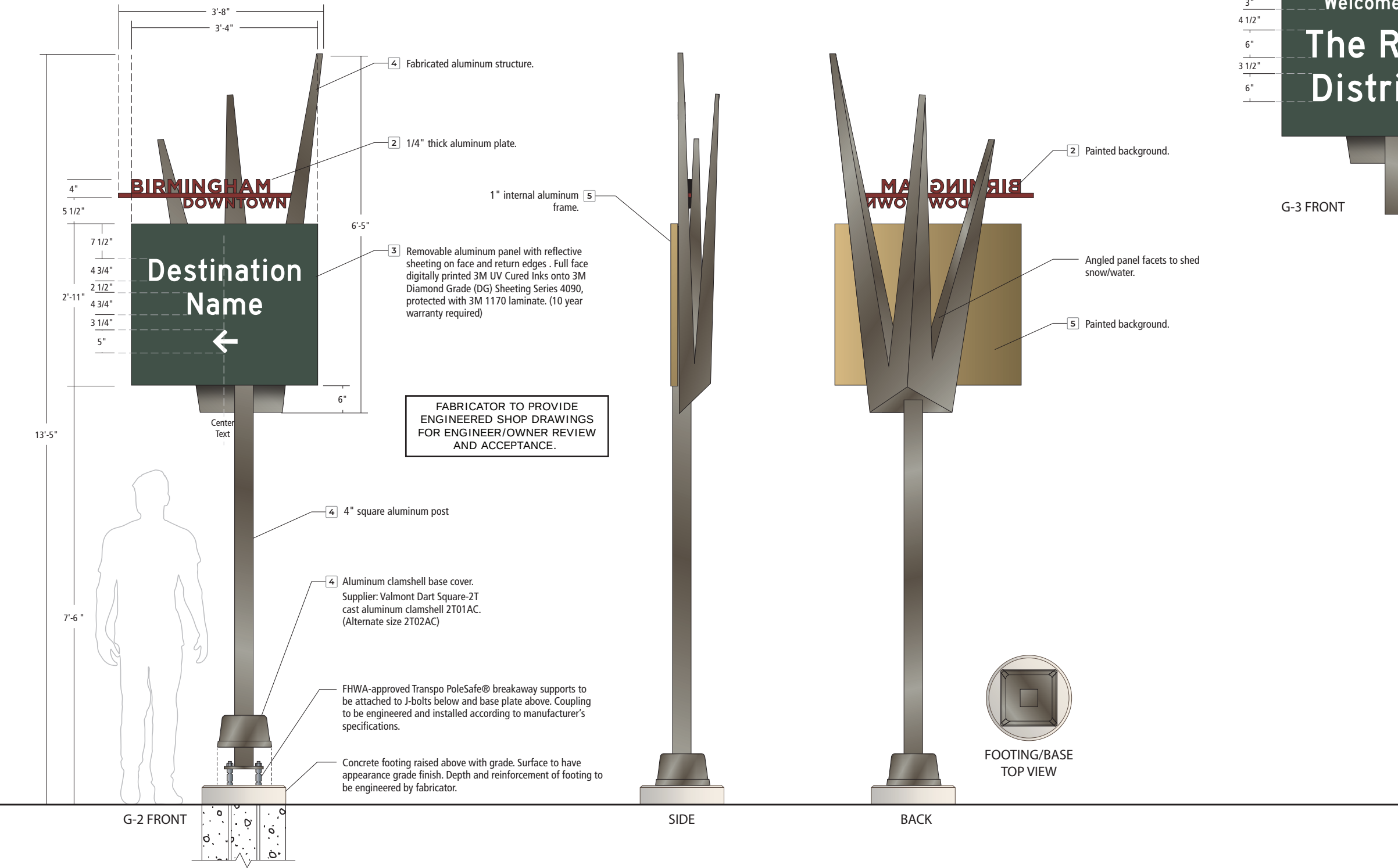
Date	Description
10/20/23	Draft Submittal

Note:
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G-2
Traffic Directional, Small
G-3
District Identification

- Colors
- 1 White
 - 2 Garnet
 - 3 Gray-Green
 - 4 Metallic Bronze
 - 5 Metallic Gold
 - 6 Champagne
 - 10 Orange
 - 11 Yellow
 - 12 Green
 - 13 Blue
 - 14 Purple

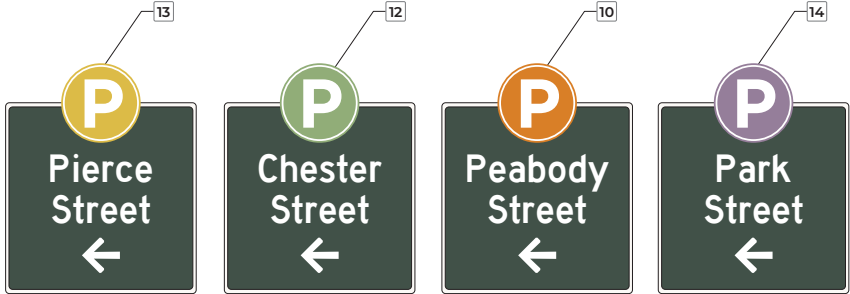
Date	Description
10/20/23	Draft Submittal

Note:
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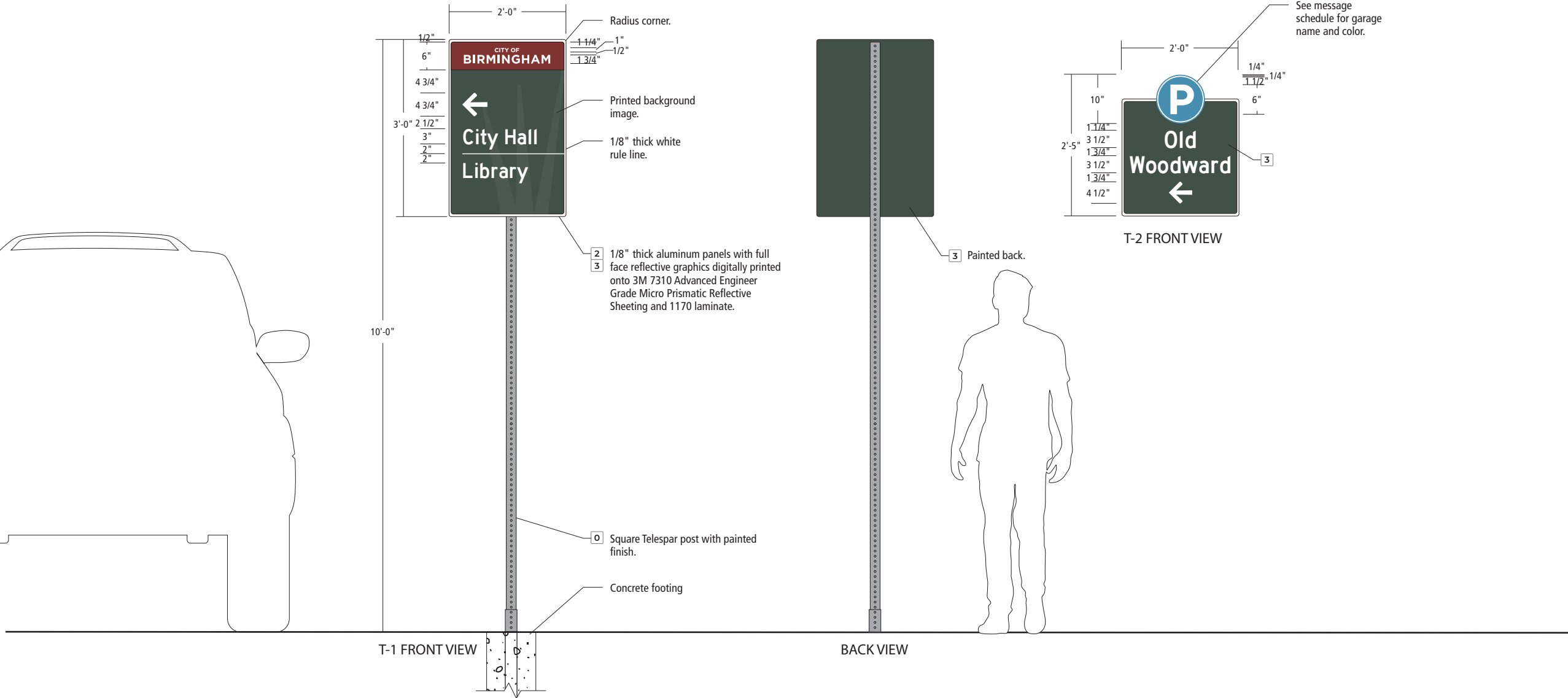


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FABRICATOR TO PROVIDE
ENGINEERED SHOP DRAWINGS
FOR ENGINEER/OWNER REVIEW
AND ACCEPTANCE.



T-2 ADDITIONAL GARAGE LAYOUTS



T-1
Secondary Trailblazer
T-2
Parking Trailblazer

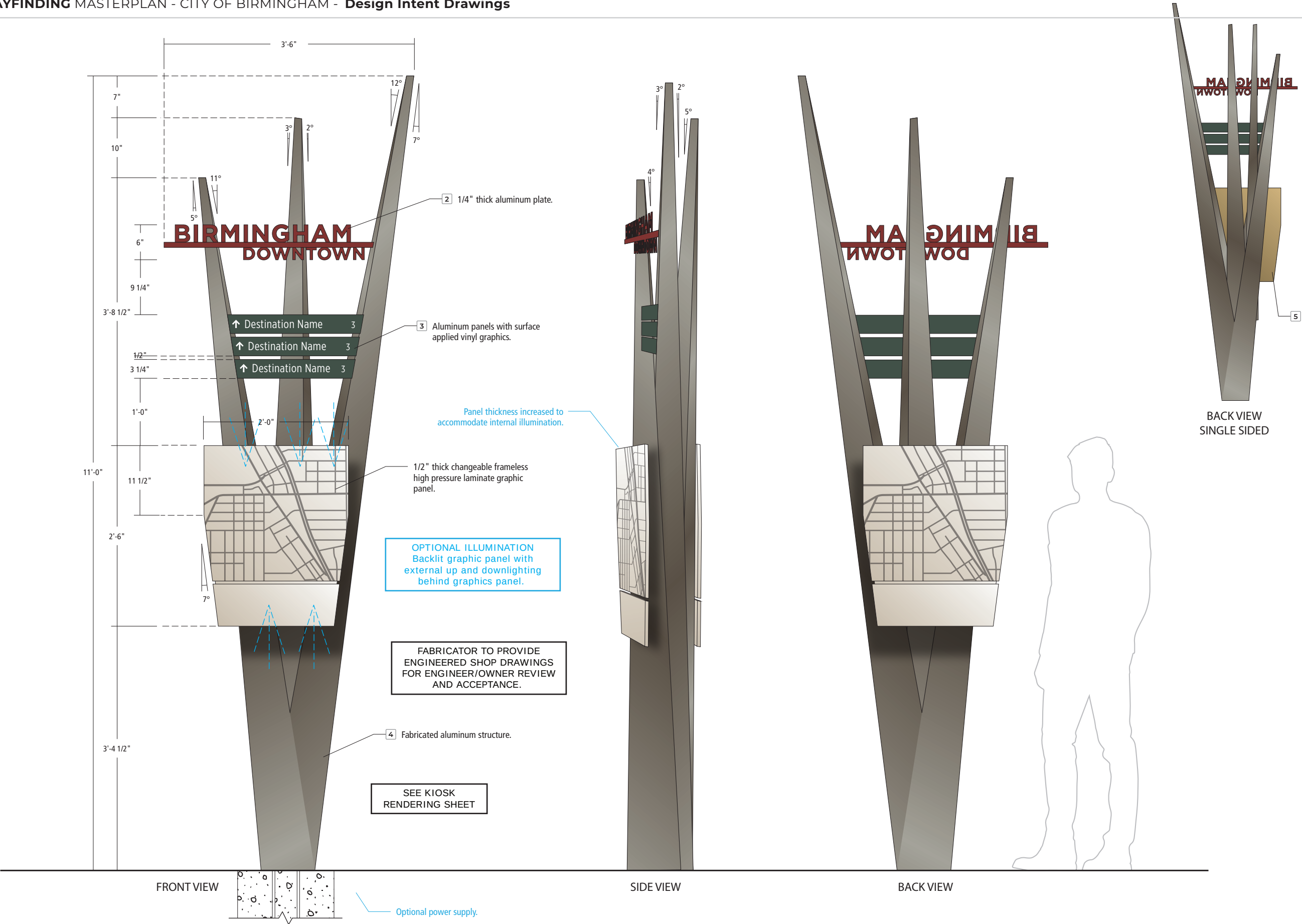
- Colors
- 1 White
 - 2 Garnet
 - 3 Gray-Green
 - 4 Metallic Bronze
 - 5 Metallic Gold
 - 6 Champagne
 - 10 Orange
 - 11 Yellow
 - 12 Green
 - 13 Blue
 - 14 Purple

Date	Description
10/20/23	Draft Submittal

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K-1
Pedestrian Kiosk

- Colors
- 1 White
 - 2 Garnet
 - 3 Gray-Green
 - 4 Metallic Bronze
 - 5 Metallic Gold
 - 6 Champagne
 - 10 Orange
 - 11 Yellow
 - 12 Green
 - 13 Blue
 - 14 Purple

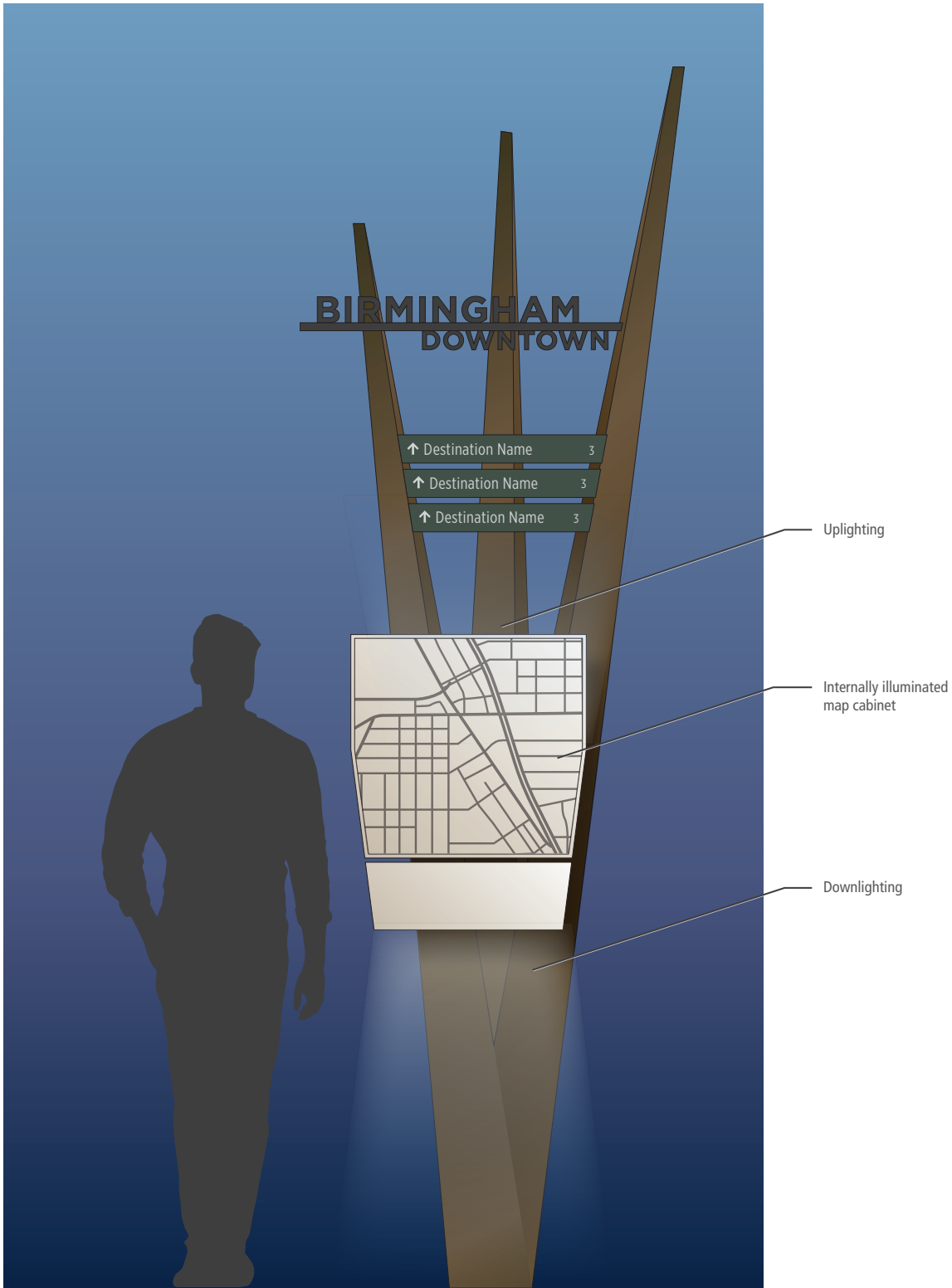
Date	Description
10/20/23	Draft Submittal

Note:
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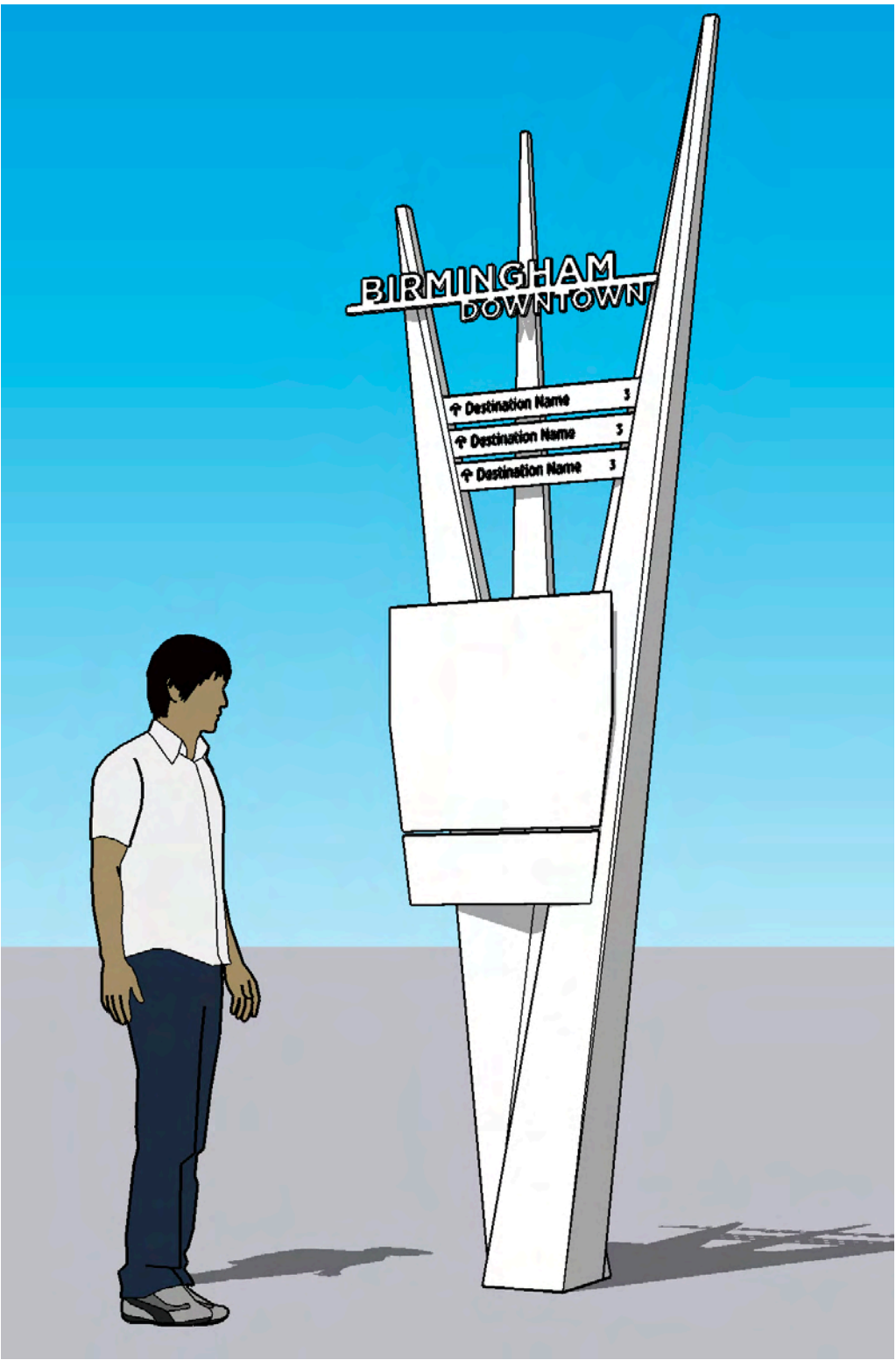


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K-1
Pedestrian Kiosk
Details



INTERNAL ILLUMINATION OPTION



3D SKETCHUP MODEL

Colors

- 1 White
- 2 Garnet
- 3 Gray-Green
- 4 Metallic Bronze
- 5 Metallic Gold
- 6 Champagne
- 10 Orange
- 11 Yellow
- 12 Green
- 13 Blue
- 14 Purple

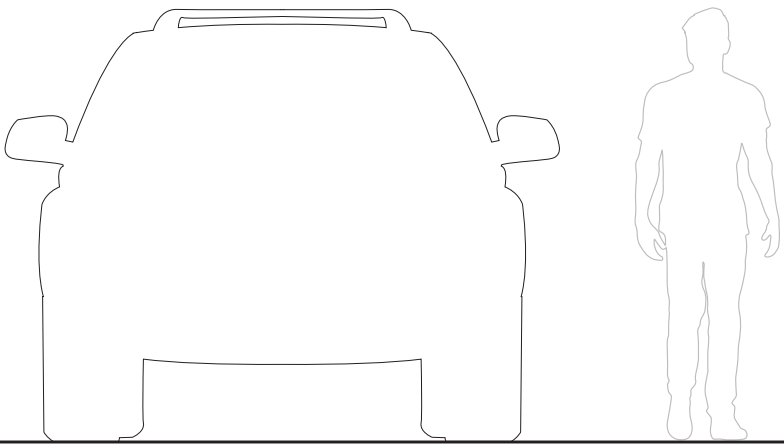
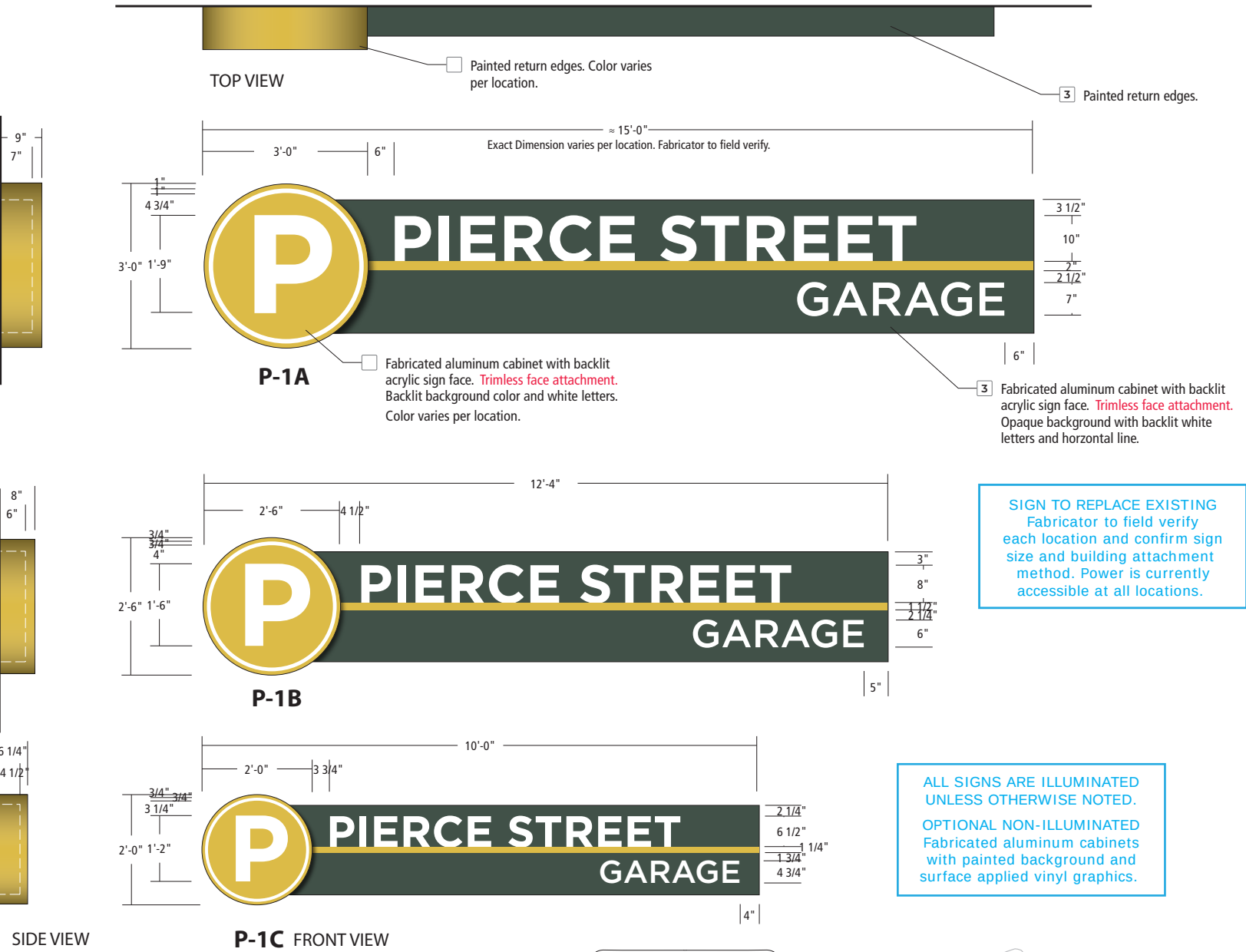
Date	Description
10/20/23	Draft Submittal

Note:
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FABRICATOR TO PROVIDE
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AND ACCEPTANCE.



COLORS AND LAYOUTS PER LOCATION



EXAMPLE LOCATION

P-1
Parking Garage Wall
Identification

- Colors
- 1 White
 - 2 Garnet
 - 3 Gray-Green
 - 4 Metallic Bronze
 - 5 Metallic Gold
 - 6 Champagne
 - 10 Orange
 - 11 Yellow
 - 12 Green
 - 13 Blue
 - 14 Purple

Date	Description
10/20/23	Draft Submittal

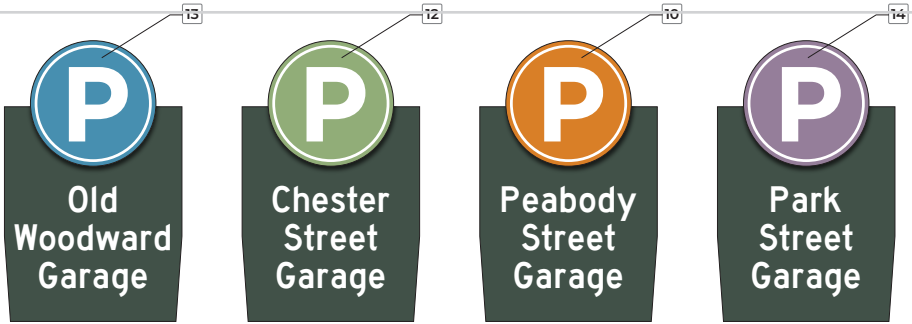
Note:
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and destination listings are for
placeholder only. Reference the
Message Schedule for exact
messaging.

Client



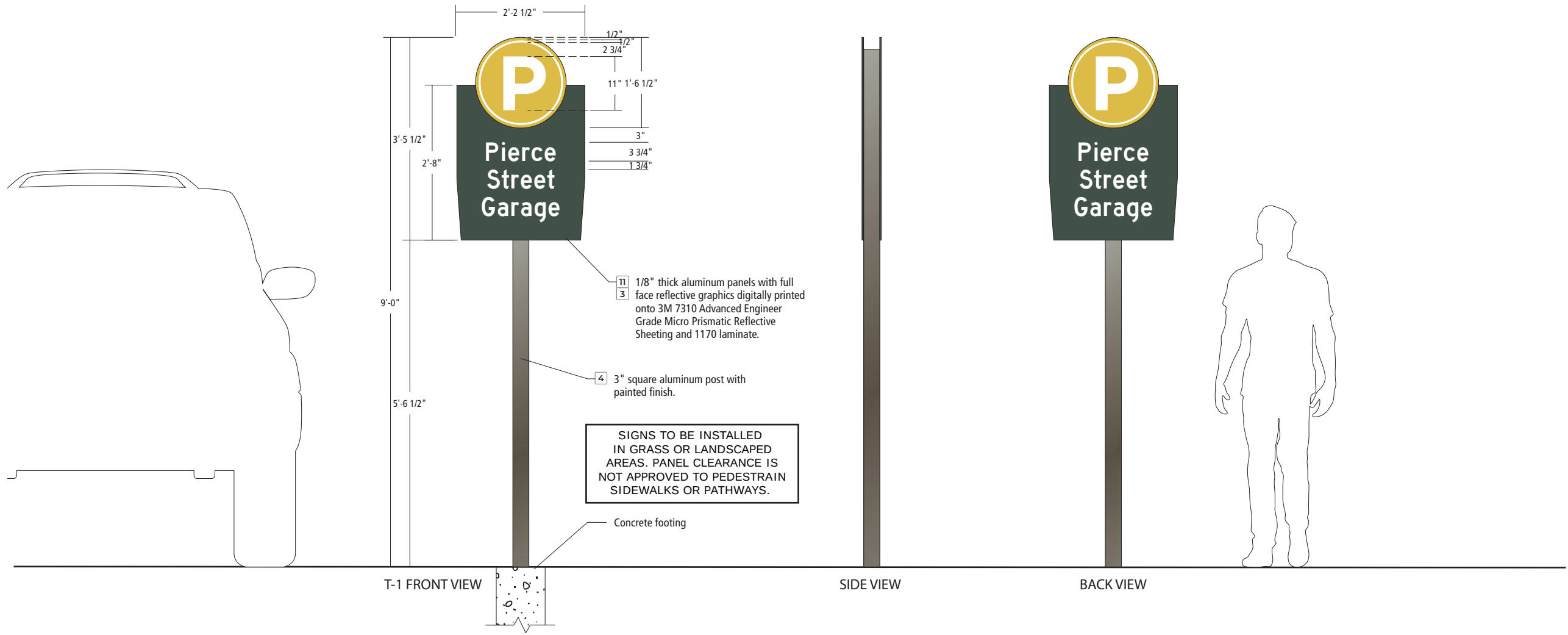
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ADDITIONAL GARAGE LAYOUTS

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AND ACCEPTANCE.



P-2
Parking
Identification
Freestanding

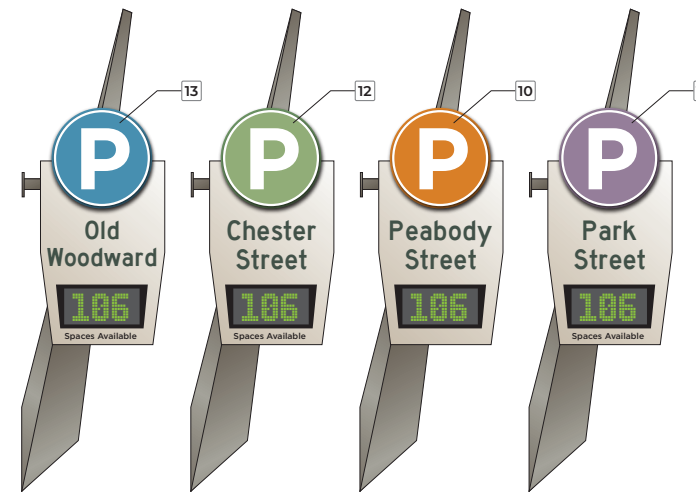
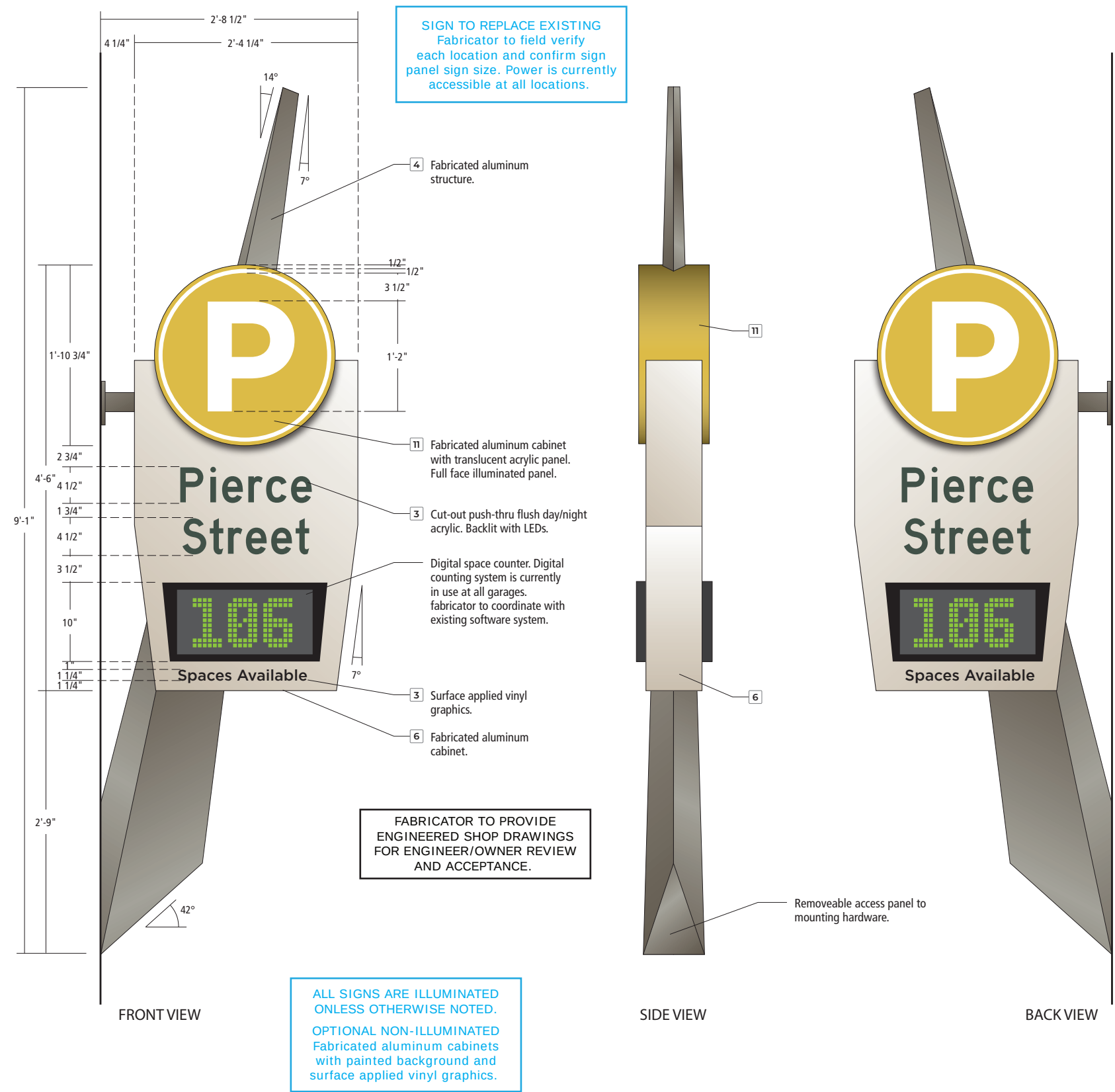
- Colors
- 1 White
 - 2 Garnet
 - 3 Gray-Green
 - 4 Metallic Bronze
 - 5 Metallic Gold
 - 6 Champagne
 - 10 Orange
 - 11 Yellow
 - 12 Green
 - 13 Blue
 - 14 Purple

Date	Description
10/20/23	Draft Submittal

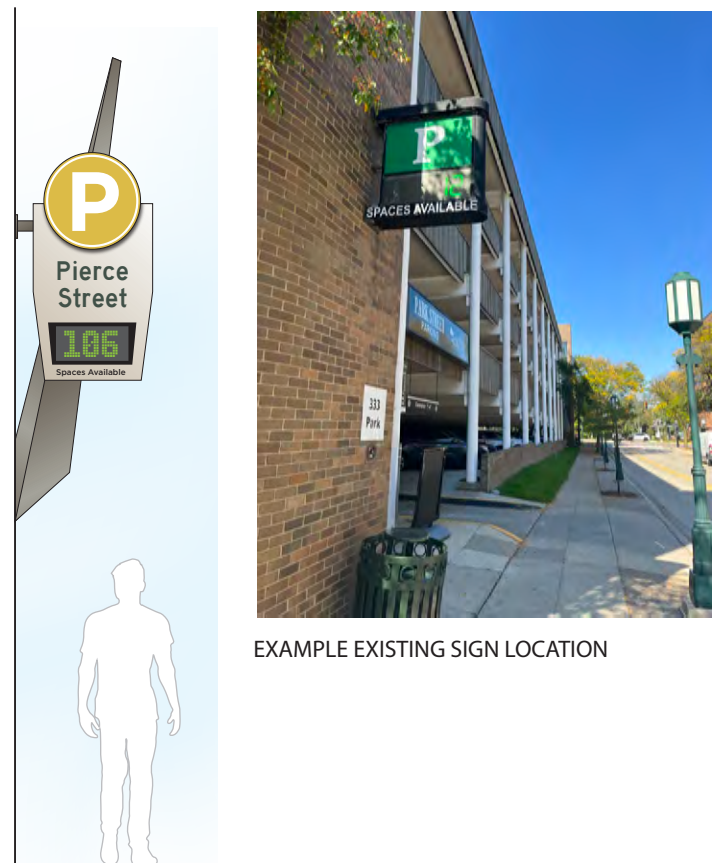
Note:
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ALTERNATE COLORS AND LAYOUTS



P-3
Parking Projecting
Identification

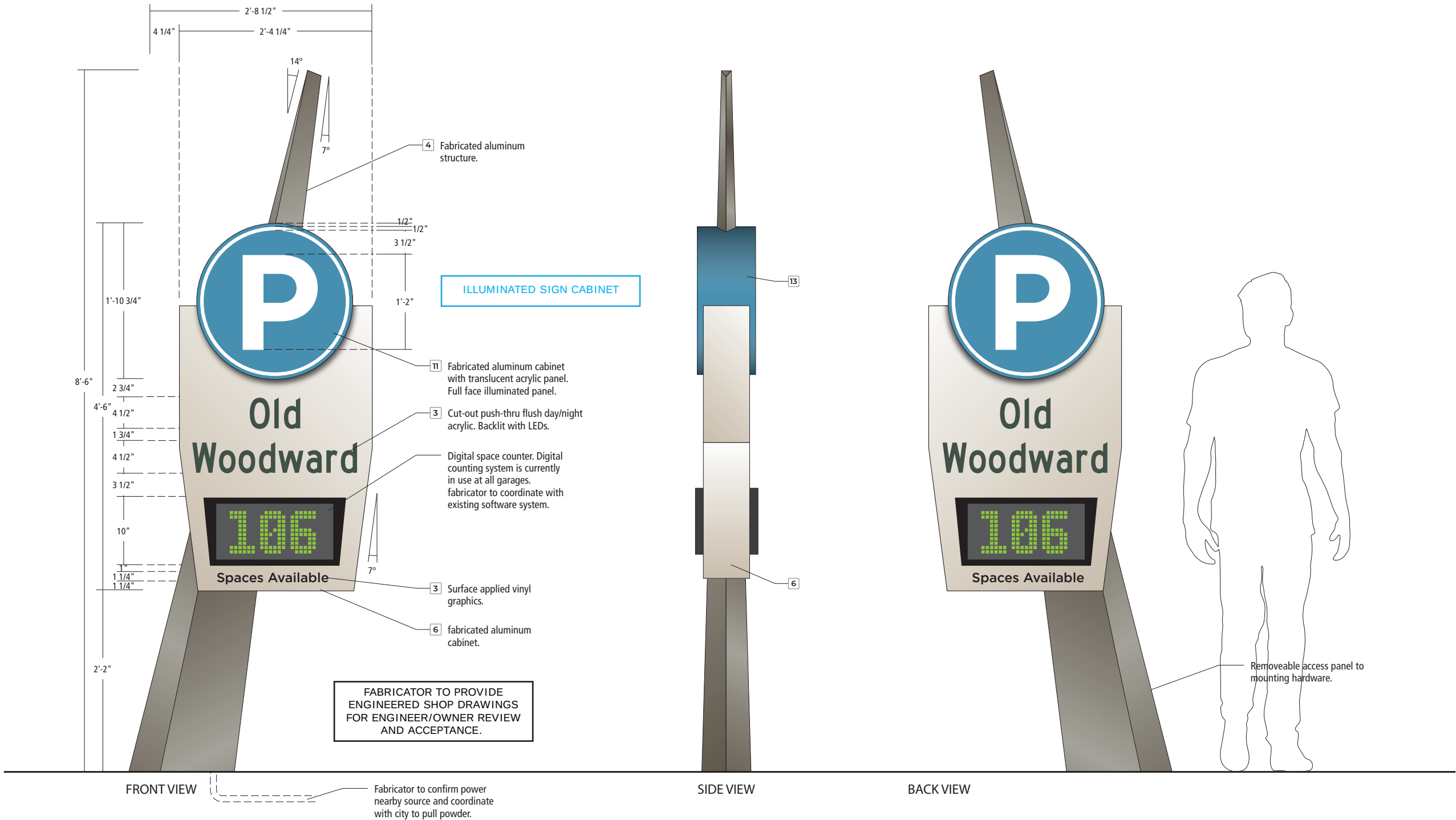
- Colors**
- 1 White
 - 2 Garnet
 - 3 Gray-Green
 - 4 Metallic Bronze
 - 5 Metallic Gold
 - 6 Champagne
 - 10 Orange
 - 11 Yellow
 - 12 Green
 - 13 Blue
 - 14 Purple

Date	Description
10/20/23	Draft Submittal

Note:
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P-4
Parking Ground
Monument
Identification

- Colors
- 1 White
 - 2 Garnet
 - 3 Gray-Green
 - 4 Metallic Bronze
 - 5 Metallic Gold
 - 6 Champagne
 - 10 Orange
 - 11 Yellow
 - 12 Green
 - 13 Blue
 - 14 Purple

Date	Description
10/20/23	Draft Submittal

Note:
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PART 1 - GENERAL

1.1 SUMMARY

- A. This section includes specifications related to fabrication and installation of exterior project signage.
- B. **Project Documents:**
The materials, products, equipment, and performance specifications within these documents describe the standard of required function, dimension, appearance, performance, and quality to be met by the Fabricator.

1. Design Intent Drawings contain sign type details. Drawings provided to the Fabricator in PDF format (outlined Adobe Illustrator files available upon request).

a. Design Intent Drawings and specifications are meant for DESIGN INTENT only and are not construction drawings.

b. Designers are not licensed Engineers or Architects. The responsibility of interpreting the Design Intent Drawings to engineer and produce structurally sound and safe product(s) is the responsibility of the Fabricator.

2. Sign Location Plans are general in nature and not to scale. They reflect locations deemed desirable for the effectiveness of the overall wayfinding plan. Sign location plans are provided to the Fabricator in PDF format.

3. The Sign Message Schedule includes sign type, exact messaging, layout details, and provides additional installation or graphic layout information specific to each sign location. Sign message schedules are prepared in FileMaker. Fabricator will be provided information in PDF format sorted by sign number. A link to an Excel file export of the data is available by request.
- C. **Fabricator’s Responsibilities:**

1. Engineer, fabricate, and install all signage and graphics per the Project Documents.

2. Be knowledgeable of relevant federal, state, and local code requirements and be responsible for ensuring that all signs meet current local, state, and federal codes, especially, but not limited to ADA, Building Codes, and Fire/Life Safety codes.

3. Perform complete structural design and engineering of the signs, foundations, and mounting as required for approvals and permits and to protect the Owner. Incorporate all the safety features necessary to adequately support the sign for its intended use and purpose.

a. All signs shall meet local, state, and federal codes.

b. Engineered shop drawings for project signage shall be reviewed, stamped, and signed by a Michigan-registered engineer.

c. Shop drawings are to be provided for all exterior sign elements.

4. Engineer all signs, banners, and mounting devices, unless otherwise indicated, to withstand the required wind load (normal to the sign, in addition to the weight of the sign)

- as specified by ASCE, American Society of Civil Engineers, or greater as per local, state, or federal code.
5. Provide all Submittals outlined in theses specifications in a timely fashion and according to the agreed upon schedule.
6. Develop graphic layouts of all sign faces using the Design Intent Drawings and messaging from the supplied Sign Message Schedule.
7. Verify signs listed in the Sign Message Schedule match those on the Sign Location Plans.
8. Visit the site prior to starting fabrication to observe existing conditions, verify mounting conditions and space availability, take field measurements, and verify all signage locations with Owner’s Representative.
9. Notify the Designer and Owner’s Representative immediately if any discrepancies exist within Project Documentation or field conditions, before manufacturing the signage.
10. Secure any and all necessary permits for signage installation.
11. Work with the Owner’s Representative to secure any necessary variances.
12. Work with the Owner’s Representative to coordinate with the facilities department, general contractor, and other trades performing work on site.
13. Maintain all project related files such that the Owner may reorder additional signs for a minimum of 10 years after the completion of the work.
14. Be responsible for subcontracted work. If subcontractors are retained to perform any portion of the work, the Fabricator is responsible for that work as if they had performed it themselves.

1.2 WARRANTY

- A. Extend in writing all manufacturers’ warranties.
- B. Obtain a minimum five (5) year extended warranty on all paint and powder coat applications.
- C. Obtain a minimum five (5) year warranty on all applied vinyl applications. Vinyl shall not fade excessively, discolor, delaminate, crack, curl, peel, blister, or lose reflectivity.
- D. Provide a written full replacement warranty for five (5) years starting from the completion of installation that all signs will be free of defects due to craft work and materials including, but not limited to:

1. Bubbling, chalking, rusting or other disintegration of the sign panel, graphics or of the edges.

2. Corrosion appearing beneath paint surfaces of panels, brackets, posts, or other support assemblies (except as an obvious result of vandalism or other external damage).

3. Corrosion of fasteners.

4. Fading, chalking and discoloration of the colors and finishes within the vinyl and paint manufacturer’s stated warranty period.

5. Peeling, delamination, bowing, or warping (“oil canning”).
6. Repair and re-installation of signage due to failed mountings.
7. The assemblies not remaining true and plumb on their supports.
- E. Repair or replace, including installation, any defective signs or hardware, which develop during the warranty period and repair any damage to other work due to such imperfections at no charge to the Owner and to the Owner’s satisfaction.
- F. The Fabricator will be required to fully replace all signs that are in error relative to the working documents (sign message schedule and sign type drawings) that were submitted to the Fabricator upon award of contract.

1.3 RIGHTS AND GUARANTEE

- A. Design Rights: Fabricator is hereby granted limited right to the designs as shown and specified herein for the sole purpose of completing contractual obligations to fabricate and install project signage. Fabricator may not manufacture, reproduce, exhibit, or modify these designs for any other purpose without prior written consent from BOTH the Owner/Owner’s Representative and Corbin Design.

1.4 SUBMITTALS

- A. **Pre-Fabrication Submittals:**
Submit the following to the Owner’s Representatives and Designer for review and approval prior to commencing with signage fabrication.

1. **Project Schedule of Work:**
Provide a detailed fabrication and installation schedule.

a. Include all pertinent dates and milestones such as submittal delivery dates, required approval dates, fabrication dates, and installation dates.

b. Include all lead times for materials and third-party supplied items.

c. Allow a minimum of 15 business days for Owner Representative and Designer’s review of Pre-Fabrication Submittals with one round of revisions built in, unless otherwise noted within the bid schedule.

d. Include submittal delivery dates of Shop Drawings, Samples, Graphic Layouts, etc.

2. **Shop Drawings:**
Detailed engineered shop drawings for each sign type are to be submitted as electronic PDF, no larger than 11"x 17". Final Shop Drawings are to be stamped by an Engineer licensed in the State of Michigan to ensure structural integrity and safety. The shop drawings for each sign type shall illustrate/ describe the following:

a. Elevations and cross sections – front, sides, top and back; side sections; internal structure section/ details; enlarged details such as of extrusions, push-

- through letter mounting, mounting plate, etc.; with all final dimensions and callouts for:

1) Components – construction details/information related to individual elements.

2) Finishes – color, type of product, manufacturer, and sheen.

3) Fonts, graphics specifications, and message fields.

4) Materials – color, type, gauge, and thickness (including substrates and overlays).
- b. Exploded view, unless otherwise indicated – isometric view with components, materials, and finishes.
- c. Cross-section of corners – one illustration for each corner condition. Items to be illustrated: seams, joints, layers, internal support, and fasteners.
- d. Mounting/installation details – provide foundation cross-sections (including hardware), bracket/post details, elevations, materials, finishes, and fasteners.
- e. Electrical details are to be provided for all elements that require electricity. Specific items to be listed are:

1) Light source and/or fixture type and manufacturer

2) Power supply (transformer)

3) Amperage and voltage per sign

4) Electrical service required (source)

5) Electric Eye and Timer information

6) Location of disconnect switch
- f. Lighting detail – provide an internal view of light fixtures, LED layout, transformers, external cut-off switch, light sensor, and timer.
- g. Foundation details – provide detailed foundation details including all concrete and reinforcement specifications.
- h. Engineering for wind load.
- i. Removable panels (where applicable).
- j. Identify any dimensional or other changes in the overall sign required by virtue of the fabrication materials, techniques, and/or engineering.

3. **Samples:**
Submit three (3) 5" x 5" samples of each material listed in the Design Intent material specifications using actual substrate materials for review and approval. One will be returned, one kept by the Owner’s Representative, and one kept in the Designer’s records.

a. Label the back of every sample with the project name, sample designation, and fabricator name.

b. The Owner’s Representative and Designer reserve the right to reject any sample and require additional samples as necessary to obtain final approval.

c. Submit three 12"x12" to-scale sample segments of the final insert artwork for exterior pedestrian maps.

4. **Graphic Layouts:**
Provide a proofing document of final production graphic layouts for every sign face to verify fonts, line breaks, character and word

spacing, interline spacing, and adherence to Design Intent Drawing layouts and Sign Message Schedule information.

- a. The proofs are to be scaled production art files, not full sized.
- b. Layouts are to be organized by sign type and by sign number within each sign type group.
- c. Each layout is to be identified with the corresponding sign number.
- d. Submittals that do not follow these organization requirements may be rejected without review until corrected.

B. During Fabrication Submittals:

- 1. Fabricator is required to maintain the Project Schedule detailing fabrication and installation timelines, submitting weekly updates as changes occur.
- 2. Upon request, Fabricator is to submit photo documentation of signage at various stages of fabrication and installation. Review of these photos does not rule out rejection of the sign during the punch list if they do not meet fabrication requirements.

C. Post-Fabrication Submittals:

Upon completion of the initial installation, the following are to be submitted to the Owner’s Representative.

- 1. Maintenance instructions and manuals for all sign components (lighting, paint, etc.), along with final amended shop drawings, as-installed sign location plans and approved graphic layout documents.
- 2. Instructions for maintenance and waxing of painted, powder coated, and fiberglass elements.
- 3. Templates for all insert-based signs, utilizing standard software for the Owner’s use in printing replacement inserts.
- 4. One (1) pint of each finish paint color for touch-up purposes.
- 5. Labeled, spare keys to master keyed locks on directory or kiosk signage.
- 6. Warranty documentation, as outlined above.

1.5 QUALITY ASSURANCE

- A. The materials, products, equipment, and performance specifications described within, establish a high-quality standard of required function, dimension, appearance, performance, and quality to be met by the Fabricator.
- B. Materials used for this project shall be new materials, not reconditioned.
- C. Fabricator shall only use workforce skilled and experienced with the products, fabrication methods, and installation requirements outlined for this project.
- D. Fabrication and installation are to withstand severe abuse and souvenir theft vandalism, but not less than the equivalent of

resisting simple hand implements and tools (screwdrivers, knives, coins, keys, and similar items), and adult physical force. It is the fabricator’s responsibility to suggest alternate fabrication or installation methods, should they be deemed necessary to hinder theft or vandalism.

- E. Regulatory Requirements: Signage shall meet or exceed requirements of all current applicable local, state, and federal codes, including but not limited to:
 - 1. MUTCD standards manual, (current edition);
 - 2. 2010 Americans with Disabilities Act Standards for Accessible Design, including local modifications and amendments; and
 - 3. All local, state, and federal building and fire codes as required by the Authority Having Jurisdiction (AHJ).

PART 2 - PRODUCTS

2.1 MANUFACTURERS

- A. Approved manufacturers include:
 - 1. Acrylic Polyurethane Paint: Matthews Paint Company or Akzo Nobel
 - 2. Acrylic Sheets: Rohm and Hass Co, Acrylite or equivalent
 - 3. Adhesive Silicone: Dow Corning or equivalent
 - 4. Adhesive Tape: Polyfoam or “Isotac” by 3M or equivalent
 - 5. Banner Hanging System: Banner Saver
 - 6. Channel letter system: Let-R-Edge or equivalent
 - 7. Electronic Message Centers: Daktronics, Watchfire, Vantage LED or equivalent
 - 8. Exterior Extrusions: SignComp,
 - 9. Exterior Perforated Vinyl: 3M
 - 10. Exterior Tactile signs: Gravoply or equivalent
 - 11. Exterior Vinyl: 3M or Oracal
 - 12. Fiberglass Embedded Panel: Pannier Graphics
 - 13. High Pressure Laminate: Folia, i-Zone, Trespa
 - 14. LED lighting system: General Electric, Principal LED, Philips, US LED or equivalent
 - 15. Panaflex: 3M or equivalent
 - 16. Powder Coating: PPG Duranar or Akzo Nobel Interpon
 - 17. Proprietary sign frame systems: 2/90 Sign Systems, APCO Signs, Appenx, ASI Sign Systems Inc., Modulex, Takeform, Vista System
 - 18. Reflective Digital Print: Sherine Industries or other equivalent 3M certified digital printer
 - 19. Stainless Steel Strapping System: Band-It or equivalent

2.2 MATERIALS

- A. Acrylic sheet: varying colors and thicknesses as noted on Design Intent Drawings. Translucent bright white cast acrylic (7328) is recommended for push-through copy and graphics. Translucent dull white cast acrylic (2447) may be used in instances where a bright white appearance is not desired. Opaque bright white cast acrylic (7508) is recommended for non-illuminated copy and graphics.
- B. Adhesive vinyl: opaque color, reflective color, translucent color, and transparent color.
- C. Aluminum: suitable for ornamental work. Finish to be smooth and free of imperfections. Alloy based upon structural requirements of the signage design. Aluminum panels to be .125" minimum thickness unless otherwise specified.
- D. Day/Night acrylic: Acrylite Day/Night, Casacryl or equivalent as noted within the Design Intent Drawings.
- E. Day/Night perforated vinyl: 3M Dual-Color Film (Series

3635); screen printed, or inkjet printed with solvent inks complying with 3M printing specifications. It is recommended to use this vinyl on the first surface of clear acrylic with a white diffuser vinyl on the reverse side.

- F. Electric Eye **and/or** Timer as indicated by the Owner’s Representative.
- G. Exterior grade paint: acrylic polyurethane paint in solid and metallic colors with primer **and** Super Satin Clearcoat finish.
- H. Fiberglass panels with embedded artwork are to be fabricated using 1/8" thick fiberglass panel with permanently embedded digital graphics. The panel must be a solid, one-piece panel with all graphic elements inseparable from the fiberglass in which they are embedded.
- I. Fonts/Typefaces: Fonts used within the Designer’s programs were purchased by and are licensed to the Designer. It is the responsibility of the fabricator to purchase the specified licensed fonts for use within this program. See the Design Intent typography page for the specific fonts.
- J. High pressure laminate: Digital graphic surface papers encapsulated with melamine resins are pressed over a portion of recycled post-consumer kraft paper core sheets impregnated with phenolic resin. These sheets are bonded under pressures greater than 1200 pounds per square inch and at temperatures approaching 300°F (149°C). The 0.040" backs are sanded to facilitate bonding to other substrates.
- K. Illumination: per Design Intent Drawings, as LED or high-output fluorescent lamps with 800 MA, exterior UL rated electronic ballasts per specifications. Specifications for T-8 lamps are specific to the 60,000 hour T-8 lamp.
- L. Matthew's Paint reflective white paint or 3M Matte White Light Enhancement Film.
- M. Miscellaneous mounting hardware: including but not limited to stainless or corrosion resistant screws, bolts, and hinges, adhesives, and stainless-steel cable.
- N. Perforated aluminum plate: varying hole patterns as specified in Design Intent Drawings.
- O. Printed graphics shall all be printed at a minimum of 1200 DPI using exterior grade UV inks.
- P. Structural Steel: galvanized rolled steel or equal as required to meet structural requirements.

2.3 SUBSTITUTIONS:

- A. Use of an "equivalent" product manufacture must be clearly identified in the fabricator's quote and shop drawings.
- B. No substitution will be considered unless the Owner’s Representative and Designer have received written request for approval.
- C. Equal or better equipment or method may be recommended, but

fabricator will be required to provide full documentation, upon request, establishing such a substitution's equality or superiority as measured in compliance with the visual design intent, cost, ease of maintenance, and performance.

- D. The Owner's Representative and Designer's decision of approval or disapproval of a proposed substitution shall be final.

2.4 FABRICATION

- A. Details on Design Intent Drawings indicate a design approach for sign structure but do not include all fabrication details required for the complete structural integrity of the signs, including consideration for static, dynamic and erection loads during handling, erecting, and service at the installed locations.

- B. General:
1. It is intended that the workmanship be of the highest quality obtainable by the respective trades and crafts experienced in the fabrication of architectural signs.
 2. Fabricate signage such that major components of the sign can be removed and replaced with similar components. Incorporate this changeability such that it does not promote vandalism but can be done by a qualified maintenance crew.
 3. Within fabrication tolerances, allow for expansion and contraction of materials due to temperature changes as appropriate to the project location.

- C. Fonts/Typefaces:
1. All tactile and braille characters must meet current ADA code requirements.
 2. Letter height/cap height is based upon the height of the capital letter "E" or any capital character that has a flat top and base.
 3. Under no circumstances are typefaces to be electronically distorted ("squeezed" or "extended") for purposes of fitting to the specified sign. This includes (but is not limited to) stretching, squeezing, tilting, outlining, or shadowing.
 4. Ligatures are to be turned off.
 5. Apostrophes and quotation marks are to be used, not footmarks and inches. Note there is a difference in most fonts.
 6. Fabricator to reference spacing and layout examples within the Design Intent Drawing package.
 7. Fabricator is responsible for correcting any typesetting errors that may be necessary.

- D. Sign Faces:
1. Sign faces to be fabricated using aluminum of varying thicknesses, as specified on Design Intent Drawings, with a minimum thickness of .125" unless otherwise noted.
 2. Any sign faces smaller than 8' by 20' are to be fabricated from 1 piece of seamless material.
 3. Any sign faces larger than 8' by 20' are to follow Welded Joint specifications. Joints must be filled and ground smooth so there is no visible seam.

4. Non-illuminated sign faces are to have lettering and graphics created as surface-applied vinyl typography unless otherwise noted in the Design Intent Drawings.
5. Acrylic faces are to be of sufficient thickness to preclude bowing or distortion within frames.

- E. Push-through copy:
1. Routed push-through copy from a single sheet of acrylic. Letters and shapes that are routed out and bonded to a separate acrylic sheet are not acceptable.
 2. Exposed acrylic edges are to be finished such that no saw marks are visible.
 3. Acrylic to have a minimum thickness of 3/8".
 4. Acrylic to be pushed through flush evenly to 3/32" unless otherwise noted on design drawing.
 5. Acrylic is to be attached to the interior of the sign using mechanical fasteners and silicon.
 6. All letter knock-outs (interior of letter forms) are to be stud mounted through the acrylic.
 7. Acceptable spacing between the push-through acrylic and the cutout aluminum is 1/32" for copy 12" or smaller. Copy larger than 12" may have alternate spacing to allow for the change in material expansion.
 8. The edges and corners of routed letterforms shall be sharp and true. Letterforms with nicked, cut, ragged, rounded (positive or negative) corners, and similar disfigurements will not be acceptable.

- F. Fasteners:
1. Conceal all fasteners except for access panels or where approved otherwise by Owner's Representative and Designer. Access panel fasteners are to be stainless steel, tamper resistant, counter-sunk flush screws, painted to match adjacent finish.
 2. All hardware and fasteners within reach shall be vandal resistant.
 3. To prevent electrolysis, separate all ferrous and non-ferrous materials with a non-conductive gasket or barrier and utilize stainless steel fasteners as required.
 4. Pop rivets are not acceptable on the exterior of the sign cabinet.

- G. Welded joints:
1. Exposed welded joints must be filled and ground smooth so there is no seam visible when painted.
 2. Dimensional and structural welding defects will not be accepted, including but not limited to: poor weld contours, including excessive bead convexity and reinforcement, and considerable concavity or undersized welds; cracks; undercutting; porosity; incomplete fusion; inadequate penetration; spatter; and non-metallic inclusions.
 3. Welding is to be performed by AWS (or similar) certified personnel, following AWS Standard Welding Procedure Specifications (SWPSs) for steel, aluminum, and stainless steel as appropriate.

- H. Non-welded joints:
1. Signs must have a tight, hairline-type appearance, without gaps. Provide sufficient fastenings to preclude looseness, racking, or similar movement.
 2. Visible metal joints must adhere to a fit tolerance of .01".

- I. Channel letters:
1. Raceways are not acceptable unless specifically noted on the Design Intent Drawing or if approved by the Owner.
 - a. Approved raceways must be painted the same color as the wall on which the raceway will be mounted.
 2. Acrylic must fit snugly into the letter return.
 3. Returns on Channel letters two feet or greater in height shall be fabricated with a minimum of .080" thick aluminum.
 4. Returns on Channel letters under two feet in height shall be a minimum of .063" aluminum.
 5. Jewel trim is not acceptable, unless specifically called out in the Design Intent Drawings.
 6. Non-illuminated Channel Letters:
 - a. Non-illuminated faces must be a minimum of .125" thick aluminum.
 7. Illuminated Channel Letters:
 - a. Face-lit channel letter backers must be a minimum of .080" thick aluminum or greater as required by engineering.
 - b. Face-lit channel letters mounted on the first or second story of a building shall be trimless.
 - c. Face-lit channel letters installed on the third floor or higher of a building may use a low-profile trim cap.
 8. Low profile Illuminated Channel Letters:
 - a. Letters fabricated out of white translucent acrylic (usually 30 to 40mm thick) with a routed cavity in the back of each letter for LED's illumination to be installed. These letters typically have an aluminum backer.
 - b. Letters may be face, side, or back-lit or any combination of the three based upon the Design Intent Drawings.
 - c. Letters must be evenly illuminated throughout the acrylic without hotspots or shadows.

- J. Drain holes:
1. Provide drain holes as needed to prevent accumulation of water within signs.
 2. Holes must be inconspicuous and located such that drainage does not occur onto signs, bases, or other surfaces subject to staining.
 3. Provide internal system of baffles to prevent "light leaks" through drain holes of illuminated signs.
 4. Use color-coordinated stainless steel bug mesh screen over drain holes or vents.

- K. Painting:
1. Sign panels shall be appropriately pre-drilled/pre-cut before priming and painting or coating.

2. Metal surfaces are to be painted per the most recent Matthews Paint or Akzo Nobel product bulletins.
3. Paint preparation of all metal surfaces of the sign to include removal of all scratches and imperfections, sanding and chemical etching.
4. Substrate cleaning, preparation, paint application and paint thickness to be in strict compliance with Matthews Paint or Akzo Nobel published recommendations and product bulletins.
5. Aluminum and Steel surfaces to be properly covered with a primer.
6. Acceleration of the drying process and use of accelerants are not allowed.
7. All paint and powder coat finishes to be a satin finish unless otherwise noted in the Design Intent Drawings.
8. All painted surfaces to have a clearcoat finish to add UV protection and protection from the elements.
9. Finished work shall be uniform, crisp, accurate, visibly free from flow lines, streaks, bleeding, blisters, cracking, peeling or other imperfections, without over spray, or rounded corners.
10. Mask & Spray: All masking shall be executed with a digitally cut vinyl mask which has an adhesive specifically designed for clean removal when promptly removed after painting and curing cycles.
 - a. No hand-cut masks shall be used.
 - b. Finished edges of masked graphics or copy shall be true, clean, and visibly free from overspray.

- L. Clear Coat:
1. A compatible protective UV/ Anti-Graffiti Clearcoat shall be applied to all painted surfaces. Fabricator to verify all product warranties and compatibility with applied to surfaces.

- M. Silk-screen, digital printing, and vinyl copy:
1. All letterforms, symbols or graphics shall be reproduced either by photographic or computer-generated means.
 2. Cutting shall be done such that edges and corners of finished letterforms will be straight, sharp and true.
 3. Letterforms with nicked, cut, ragged, rounded corners, and similar disfigurements will not be acceptable.
 4. Copy is to match the sheen of the copy panel background (satin).
 5. Surface of graphics shall be uniform in color finish, and free from striping, pinholes, and other imperfections.
 6. Images shall be uniform in color and ink thickness.
 7. Use only weather-resistant coating materials that are compatible with substrates.
 8. Silk-screened images shall be executed with photo-processed screens prepared from original electronic art.
 9. Silk-screening shall be highest quality, with sharp lines and no sawtooths or uneven ink coverage.

10. Images shall be free from squeegee marks and lines resulting from improper print stroke or screen off-contact.
- N. Vinyl Sheetting:

1. Non-Reflective

a. Single Vinyl Product: All vinyl sheeting, inks and overlays shall maintain the same manufacturer and required specifications. Mixing products, processes or materials from different manufactures that voids warranties is not permitted.

2. Reflective Sheetting:

a. Single Vinyl Product: All vinyl sheeting, inks and overlays shall maintain the same manufacturer and required specifications. Mixing products, processes, or materials from different manufactures voids warranties and is not permitted.

b. 3M Certified Fabricator: Reflective Vinyl Printing shall be performed by a current accredited 3M Certified Fabricator or 3M Certified Digital Fabricator, which includes an annual onsite audit of manufacturing facilities, ensuring correct materials and processes are being used. Certification shall guarantee that the product will be covered by 3M MCS Traffic Warranty.

c. Use 3M High Intensity Reflective Sheetting or approved equal that meets MUTCD requirements for Community Wayfinding Signage (MUTCD Section 2D.50).
3. Perforated Sheetting:

a. Pre-perforated product with manufacturer's guarantee for function and warranty.

O. Illumination & Electrical:

1. Perform the complete electrical design for illuminated signs.

a. Illuminated signs shall be designed by an electrical engineer.

b. Illuminated signs shall be fabricated and wired to be compliant with current UL listing requirements.

c. Illuminated signs shall be UL Certified.

d. Internal illumination is required to provide adequate and even illumination over the face of the sign without hot spots or shadows.

2. Fabricator to verify location of power and electrical feed with the Owner's Representative prior to sign fabrication.

3. The disconnect switch is to be located in an inconspicuous location, not visible from the primary face(s) of the sign or the street.

4. All internally illuminated signs are to have a master timer with photoelectric eye on/off control to turn the sign on at night and off in the morning, and on during dark conditions.

a. Location of timer to be coordinated with and approved by the Owner's Representative, building owner/facilities department.

b. Illuminated signs must be connected to a building timer/photocell, not on individual timers & photocells.

5. All internally illuminated signs and channel letters shall be painted white on the interior using Matthews' reflective

- white paint or shall be lined with 3M's Matte White Light Enhancement Film, to enhance and evenly distribute light.
6. Provide concealed access panel in an accessible location on all internally illuminated sign cabinets. Panels are to be flush, lightproof, and watertight.
7. Internally illuminated signs are to have adequate internal system of ventilation to assure a uniform dissipation of heat from electrical components of electrically powered and illuminated signs, heat (solar) absorption by sign and other sources.
8. Any openings in exterior surfaces must be internally baffled to prevent light leaks and prevent entry of rain, snow, wind-blown debris, and other foreign matter, and are to be covered with color-coordinated insect screen on the interior of the face.
9. House all electrical components within sign cabinets, except for remote transformers as dictated by the Owner's Representative. All wiring and raceways within the sign are to be completely enclosed.
10. Transformers for channel letters shall be remote transformers wherever possible.

a. If remote transformers are not applicable, then all electrical components shall be contained within the channel letter itself.

b. Remote transformers must be located within a location easily accessible for servicing without disturbing or interrupting room functions.
11. Illumination to be provided by LED or fluorescent lamps as specified on design drawings.

a. Internally illuminated channel letters shall be illuminated using LED, unless otherwise noted on the design drawings.

b. Signs wired with high output lamps are to include spring-loaded static strips between each lamp.
12. LEDs or other internal hardware must not be visible through translucent letterforms and graphics.
13. Test and verify all illumination within the shop environment prior to shipping signs to site.

- P. Labels:

Only labels required by law are permitted on the exterior of the sign face.

1. Labels shall be located in a position as discreet as possible.

2. Labels shall not be on the primary messaging faces or street facing side of the sign, unless dictated so by the local ordinance.

3. No other labels are permitted on the signs.

4. Fabricator contact information may be placed inside the sign on the access panel.

PART 3 - EXECUTION

3.1 DELIVERY, STORAGE AND HANDLING

- A. Pack, wrap, crate, bundle, box, bag, or otherwise package, handle, transport, and store all fabricated work as necessary to provide protection from damage.
- B. Provide clear and legible identifying information on all product packaging to ensure proper on-site identification and installation.
- C. Fabricator to coordinate the delivery and secure storage of signage with the Owner's Representative.
- D. Recommend covering all sign faces with a low-tack protective vinyl cover, to be removed after installation. This is to help minimize minor scratches and nicks that happen during unpacking and installation.

3.2 DEMOLITION

- A. Fabricator is required to remove all existing signs as noted in the included Demolition plan and/or as identified in the Project Documents.
- B. Fabricator is to remove all below grade footings and foundations completely, fill with compacted soil, and repair landscaping.
- C. For exterior wall mounted signs and individual letters, Fabricator is to remove the sign, fill holes, power wash the façade and touch-up paint as required.
- D. Electrical connections are to be properly terminated for demoed illuminated signs.
- E. Fabricator is responsible for disposal of demolished signage. Recycling is recommended. Open dumping is prohibited. Coordinate with Owner's Representative.
- F. Fabricator to repair and bring to consistent look with surrounding area any areas or surfaces damaged or left exposed in an unfinished condition due to the removal of a sign.

3.3 PERMITS AND VARIANCES:

- A. Research relevant local code requirements and honor the same in fabrication and installation.
- B. Secure any and all necessary permits for signage installation. Coordinate with the Owner's Representative to secure variances, should any be required.
- C. Coordinate with the Owner's Representative to have all underground utilities properly located and marked. Any damage to below-grade utilities or structures for which the Owner or Owner's Representative has provided adequate location information is the responsibility of the Fabricator.

3.4 INSTALLATION

- A. General:

1. The final Sign Message Schedule (or annotated layouts) and Sign Location Plan shall be consulted together to determine the precise location for each sign. Fabricator is to review any necessary adjustments and final locations with the Owner/ Owner's Representative.

2. If installation subcontractors are utilized, the Fabricator must provide a company representative to act as on-site supervisor through the duration of the installation process to oversee any subcontracted installation work.

3. Fabricator to maintain current signage and directional information during installation in order to continue to provide proper wayfinding. This can be done through the use of temporary signs or vinyl over existing sign faces.

4. Fabricator to provide a site logistics plan indicating the work areas, proposed equipment, and power sources, extent and duration of street closures, and schedule time/dates of the respective sign installations. This schedule is to be updated on a weekly basis if changes occur.
- B. Locating Signs:

1. Fabricator's installers must have applicable understanding of the 2010 Standards for Accessible Design (ADA) mounting guidelines, city zoning and other applicable federal, state, and local codes, general sign locating practices, and any particular unique installations.

2. Installers are to follow the regulations, noted guidelines, custom notes within the Sign Message Schedule, and architectural details around an installation location for the best visual placement.

3. Keep a reasonable distance from protruding objects.

4. Any signage that is improperly located is to be moved to the proper location, and all repairs to wall surfaces and signage are to be handled by the Fabricator.

5. If the installers are unable to make a decision about any sign locations, they shall contact the Designer, providing a graphic representation of the questionable area, or contact the Owner's Representative for on-site options. If there is a code requirement regarding the sign location, the installer must notify the Owner's Representative of the requirement.
- C. Mounting:

1. Ensure every building-mounted sign location has the necessary blocking for safe and secure mounting. Where additional blocking is needed, recommend changes and additional associated costs, and receive approval prior to beginning installation.

2. Ground signs are to be mounted on J-bolt footings or breakaway bases, centered on the concrete base or footing, unless otherwise specified in the Design Intent Drawings or required by code.

3. All bolts, nuts, washers, and other fasteners shall match the sign material and finish.

a. If fastening dissimilar materials stainless steel fasteners shall be used, 300 series is preferred.

- Galvanized steel is acceptable only if all exposed surfaces are properly sealed/coated to prevent corrosion.

4.

Fabricator is required to specify mounting hardware and anchoring per the engineering of the signs. The visual appearance of the sign is not to be compromised from that shown in the Design Intent Drawings.

5.

Install all signage products such that there are no misalignments between visible components. Sign elements intended to be removable or changeable after installation must function as intended without binding, sticking, or blocking.

6.

All signs to be mounted level and true, and within the guidelines of applicable local, state, and federal codes including, but not limited to, the 2010 Standards for Accessible Design (ADA) and fire/life safety codes, where applicable.

7.

If signs are to be installed in a parking garage where the structural elements are not level due to the grade of the garage, the Owner is to decide whether the sign should be mounted level or aligned with the structural elements.

D.

Electrical:

1.

The Owner or Owner's Representative will be responsible for providing a power source to within 10 feet of the base of each sign requiring power (either at grade or below grade).

2.

If a power source does not exist within 10 feet of an illuminated sign location, the Fabricator is to coordinate with the Owner/Owner's Representative, the means and methods necessary to pull power, such as sub-contracting a certified electrician.

3.

Fabricator to identify preferred junction locations with the Owner or Owner's Representative.

4.

Power is to be 120 or 277 (LED illumination should be 120) volts at 60 cycles unless otherwise noted by the Owner's Representative. Fabricator to confirm based upon location source with the Owner's Representative.

5.

Manipulate the existing conduit to its proper location, install an external disconnect, extend the conduit through the concrete base (or posts) to align with the point of hookup, and run the power supply through it.

6.

Conduit running from the disconnect to the sign shall travel within the concrete foundation directly into the sign, not on the foundation's surface.

7.

Perform final hook-up and verify proper working order of illuminated signage. This may not be an excluded service from the quote.

E.

Masonry/Footings:

1.

All concrete bases for signage are to be poured in place from thoroughly mixed and agitated concrete.

2.

Footings are to extend beneath the frost line, or deeper to meet local code.

3.

All footings or bases should be poured within a form and level with grade unless otherwise specified in the Design Intent Drawings or as specified by state or local code.

4.

Foundation/footings should not extend above grade more than 2", unless otherwise indicated in Design Intent Drawings or required by state or local code.

5.

Foundation/footings with exposed edges shall be finished with a bevel or rounded edge to prevent chipping.

6.

It's recommended that the concrete be floated by machine or hand before finishing in order to embed larger aggregates, especially when part of the footing or base extends above ground.

7.

Concrete surface shall have a smooth or brushed finish grade appearance. Match the finish appearance of connecting concrete surfaces when applicable.

8.

All concrete bases and footings shall be edged to break any bond with the form and create a neat appearance. All forms should be removed once the concrete has properly cured.

9.

Provide the necessary templates, mounting plates, and hardware for concrete and masonry bases.

10.

All masonry (concrete block, poured concrete, brick, slab, veneer, mortar, etc.) is to be properly treated and protected to maintain the structural integrity of the masonry work with exposure to all environmental conditions found at the site. For exposed or visible masonry, this shall include the application of protective sealers or similar finishes to diminish the effects of close-proximity sprinklers or irrigation systems.

11.

Wet concrete with footers and posts must fully cure in place before signage is installed on the footers or mounted to the posts.
- F.

Landscaping & Grading:

1.

Landscaping around newly installed signs shall meet all local and state code requirements.

2.

Landscaping specifications identified in the Design Intent Drawings shall be met.

3.

All grades surrounding new signage shall ensure positive drainage.

4.

Signs within hardscape areas must be finished evenly with the existing hardscape surface and colored to match.

5.

Fabricator shall work with Owner's Representative to ensure existing sprinkler heads are adjusted to avoid water contact with newly installed signs.

6.

Signs within softscape areas, and their bases/posts (regulatory sign posts excluded), should be protected from routine landscape maintenance by the following methods:

a.

Landscaping bed: minimum 1' wide from each direction around a sign, 6" deep, with aluminum edging and filled with material to match existing landscaping materials.

b.

Concrete pad: added around each concrete base or sign post.

c.

Stone bed: minimum 2' wide from each sign face, 6" deep, with 1/8" x 4" mill finished aluminum edging. Stone type to be coordinated with Owner's Representative and or match existing landscaping stone.
- G.

Completion of installation:

1.

Fabricator is to remove any protective covering, tape, or installation hardware.

2.

Fabricator is then to clean the sign per the manufacturer recommendations, ensuring that sign is clean from dirt, stains, fingerprints, tape residue, etc.

3.

All exposed hardware is to be touch-up painted on site as required, immediately following installation prior to punch list.

4.

All minor blemishes or marring are to be repaired such that the repairs are imperceptible. Components having permanent, non-removable scratches or defects are to be replaced completely.
- H.

Site Safety and Restoration:

1.

Fabricators are responsible for their own safety during the installation period.

2.

Maintain a safe environment for pedestrians and vehicular traffic during the installation period, following OSHA safety standards as necessary.

3.

Keep the Owner's premises and the adjoining premises, driveways, and streets clean and clear.

4.

Job site shall be left safe, neat, and clean at the completion of each day's operation.

5.

In addition to maintaining old or temporary signs for their directional or informational purposes, Fabricator is to maintain signage that meets or exceeds MUTCD and local standards during the installation period.

6.

At the completion of work, remove all rubbish, tools, equipment, and surplus materials, from and about the premises, and leave the site as originally found.

7.

Repair or correct damage to other contractors' work resulting from sign installation work.
- a.

Based on the Punch List report the Fabricator may be required to make corrections or replacements in order to complete their contracted scope of work.
- D.

If the Fabricator agrees to a timeline for a scheduled Punch List trip, and then does not complete their scope of work in time, requiring the trip to be delayed, the Fabricator will be responsible for charges associated in rescheduling the trip.
- E.

Fully replace all signs that are in error relative to the working documents (final sign message schedule and design drawings).
- F.

Correct any installation misalignments at no charge.
- G.

The Fabricator's onsite representative is to complete a walk through with the Owner's Representative immediately following installation to identify any errors, such as construction or installation issues. Such errors are to be corrected in a timely manner, and to the satisfaction of the Owner's Representative.

END OF SECTION

3.5 INSPECTIONS & PUNCH LIST

- A.

Finished work shall be of highest architectural fabrication quality to pass eye-level examination and scrutiny. Scratches, paint drips, sags, poor welds, and other visual defects are not acceptable.
- B.

Owner/Owner's Representative reserves the right to inspect work in the fabrication shop in progress and before it is shipped to the job site for installation.
- C.

Owner's Representative reserves the right to conduct a Punch List, which may include, but is not limited to, review of the following items:

1.

Adherence to Design Intent Drawings, graphic layouts, and shop drawings

2.

Sign location

3.

Foundation finish

4.

Light leaks

5.

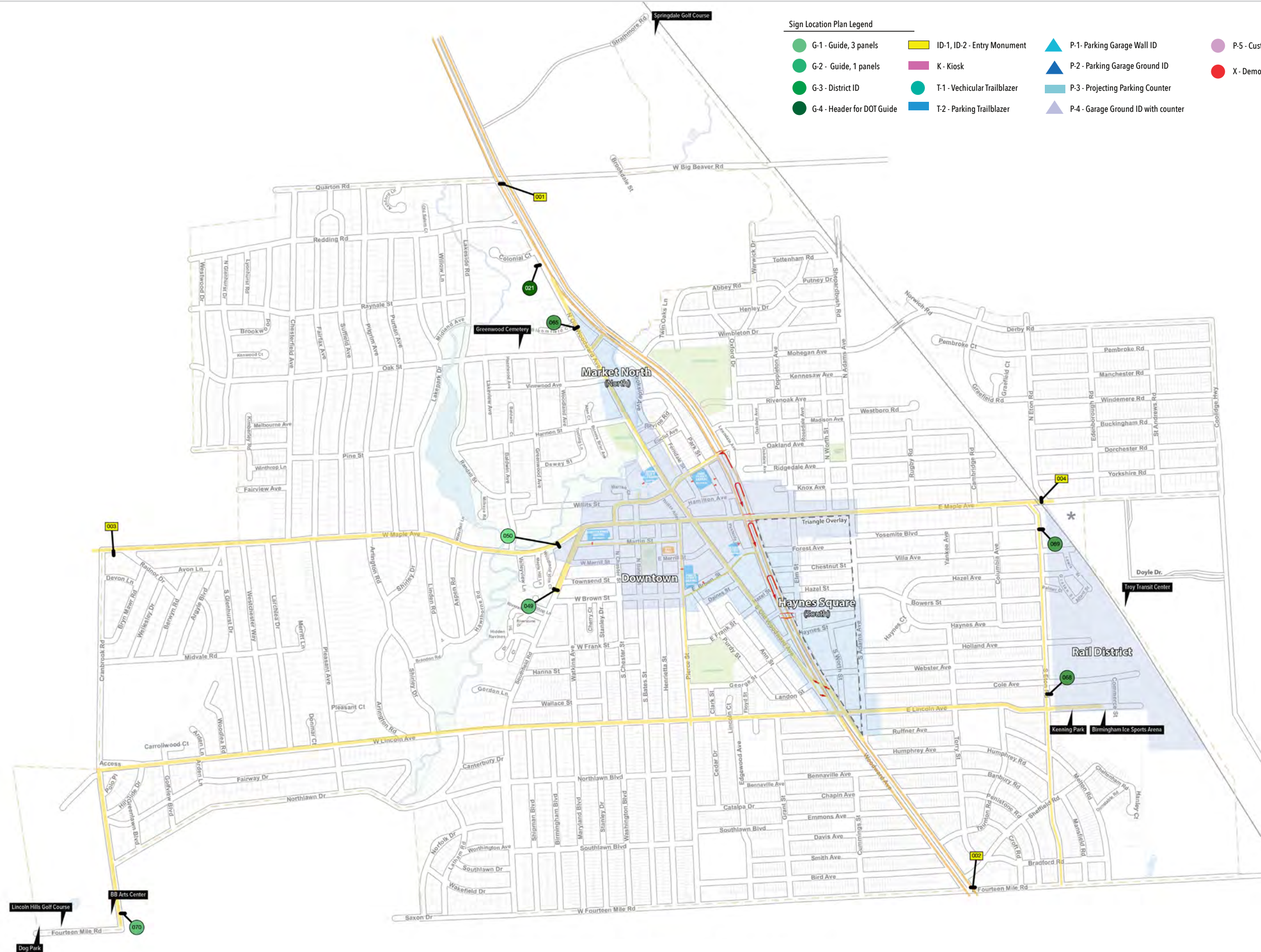
Damage to sign from installation

6.

Completion of scope of work

7.

Errors and/or deficiencies



Date	Description
10/24/23	Sign Location Map

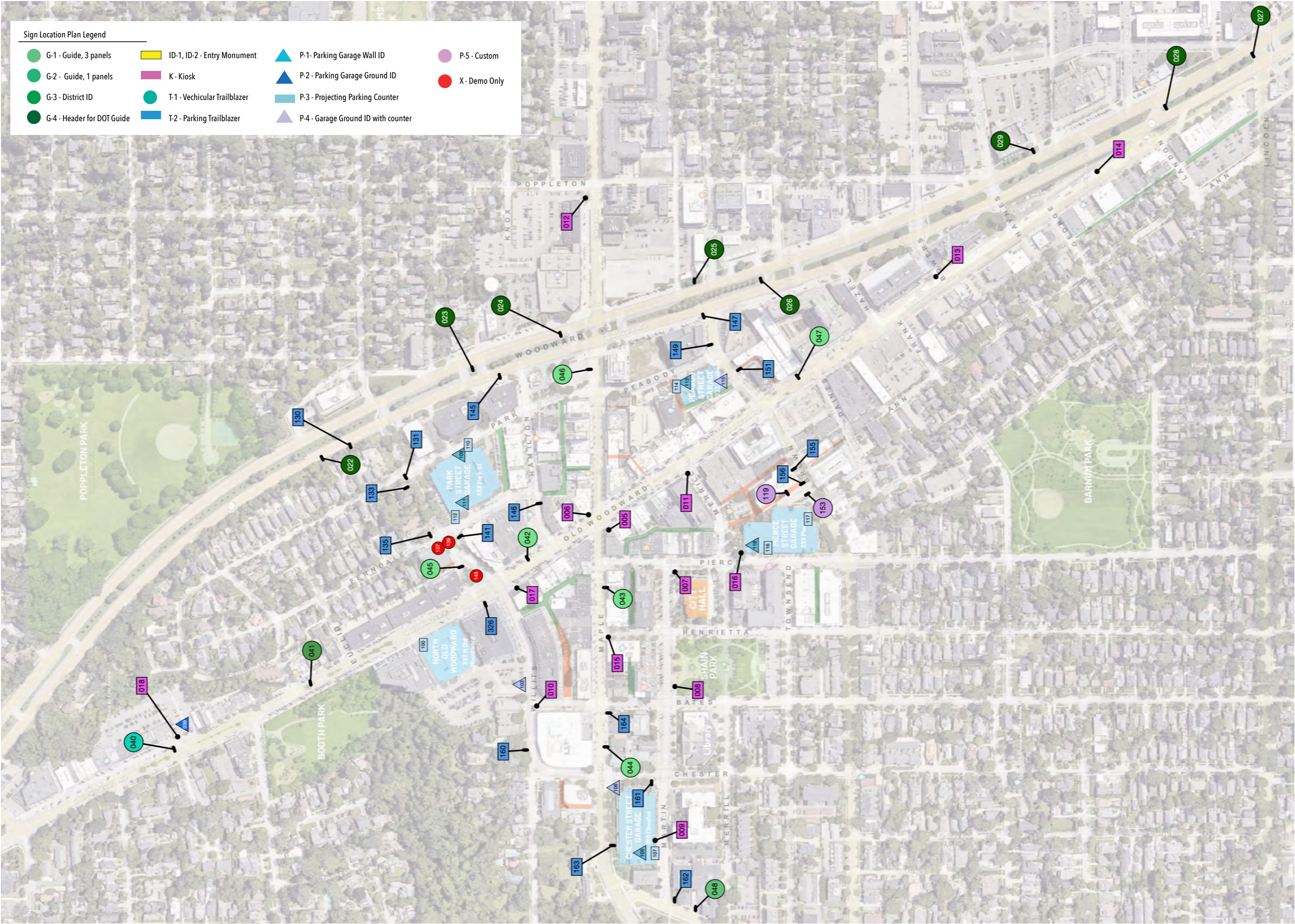
Note:

Client

City of Birmingham

CORBIN
DESIGN

415 S Union, 2nd Floor
Traverse City, MI 49684
(231) 947-1236



2 of 2
Downtown

Date	Description
10/24/23	Sign Location Map

Note:

Client

City of Birmingham



415 S Union, 2nd Floor
Traverse City, MI 49684
(231) 947-1236



Sign Message Schedule

Project Name: City of Birmingham, Michigan

Client: Birmingham, MI

Date Issued: 11/10/2023

General Notes:

Note: [P#] represents the parking symbol and its associated color as dictated in the design intent package

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE

DATE: 11/10/2023

SIGN NUMBER		SIGN TYPE CODE	
001		ID-1	Ground Mounted Identification, Large
SIGN MESSAGE		SIGN DETAILS	PHOTO
BIRMINGHAM WELCOMES YOU		Sign Face Direction North Cross Streets Woodward Ave & Big Beaver	
SIGN NUMBER		SIGN TYPE CODE	
002		ID-1	Ground Mounted Identification, Large
SIGN MESSAGE		SIGN DETAILS	PHOTO
BIRMINGHAM WELCOMES YOU		Sign Face Direction South Cross Streets Woodward Ave & 14 Mile	
SIGN NUMBER		SIGN TYPE CODE	
003		ID-2	Ground Mounted Identification, Medium
SIGN MESSAGE		SIGN DETAILS	PHOTO
BIRMINGHAM WELCOMES YOU		Sign Face Direction West Cross Streets W Maple Ave & Cranbrook Rd	

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
004		ID-2	Ground Mounted Identification, Medium
SIGN MESSAGE	SIGN DETAILS	PHOTO	
BIRMINGHAM WELCOMES YOU	Sign Face Direction East Cross Streets E Maple Ave & S Eton Rd		
SIGN NUMBER		SIGN TYPE CODE	
005		K-1	Pedestrian Kiosk
SIGN MESSAGE	SIGN DETAILS	PHOTO	
→ Chester Street Garage [P12] ↑ Peabody Street Garage [P10] ↑ Pierce Street Garage [P11]	Sign Face Direction North Cross Streets Maple & Old Woodward	 	

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
006		K-1	Pedestrian Kiosk
SIGN MESSAGE	SIGN DETAILS	PHOTO	
← City Hall ↑ Palladium ↑ Park Street Garage [P14]	Sign Face Direction South Cross Streets Old Woodward & Maple	 	

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE				DATE: 11/10/2023
SIGN NUMBER		SIGN TYPE CODE		
007		K-1	Pedestrian Kiosk	
SIGN MESSAGE		SIGN DETAILS	PHOTO	
→ Shain Park → Library ↑ Pierce Street Garage [P11]		Sign Face Direction		
		West		
		Cross Streets		
		Pierce & Marting		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE				DATE: 11/10/2023
SIGN NUMBER		SIGN TYPE CODE		
008		K-1 Pedestrian Kiosk		
SIGN MESSAGE		SIGN DETAILS		PHOTO
↑ City Hall ↑ Pierce Street Garage [P11] ← Old Woodward Garage [P13]		Sign Face Direction West Cross Streets Martin & Bates		

SIGN NUMBER		SIGN TYPE CODE		
009		K-1 Pedestrian Kiosk		
SIGN MESSAGE		SIGN DETAILS		PHOTO
↑ Library ↑ Shain Park ↑ City Hall		Sign Face Direction West Cross Streets Martin & Chester		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE			DATE: 11/10/2023
SIGN NUMBER		SIGN TYPE CODE	
010		K-1 Pedestrian Kiosk	
SIGN MESSAGE		SIGN DETAILS	PHOTO
← Shain Park ← City Hall ← Library		Sign Face Direction East Cross Streets Willits & Bates	
NOTES (may be a difficult corner for placement)			
SIGN NUMBER		SIGN TYPE CODE	
011		K-1 Pedestrian Kiosk	
SIGN MESSAGE		SIGN DETAILS	PHOTO
→ Pierce Street Garage [P11] → City Hall → Shain Park		Sign Face Direction North Cross Streets Old Woodward & Merrill	
SIGN NUMBER		SIGN TYPE CODE	
012		K-1 Pedestrian Kiosk	
SIGN MESSAGE		SIGN DETAILS	PHOTO
↑ Old Woodward ↑ City Hall ↑ Parking Garages		Sign Face Direction East Cross Streets E Maple Rd & Poppelton	

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
013		K-1	Pedestrian Kiosk
SIGN MESSAGE	SIGN DETAILS	PHOTO	
Haynes Square	Sign Face Direction East Cross Streets S. Old Woodward & Bowers		
SIGN NUMBER		SIGN TYPE CODE	
014		K-1	Pedestrian Kiosk
SIGN MESSAGE	SIGN DETAILS	PHOTO	
Haynes Square	Sign Face Direction South Cross Streets Old Woodward & George		
SIGN NUMBER		SIGN TYPE CODE	
015		K-1	Pedestrian Kiosk
SIGN MESSAGE	SIGN DETAILS	PHOTO	
← Shain Park ← City Hall ↑ Chester St. Garage [P12]	Sign Face Direction East Cross Streets Maple & Henrietta		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
016		K-1	Pedestrian Kiosk
SIGN MESSAGE	SIGN DETAILS	PHOTO	
↑ City Hall ↖ Shain Park → Old Woodward Ave.	Sign Face Direction South Cross Streets Pierce & Merrill		
SIGN NUMBER		SIGN TYPE CODE	
017		K-1	Pedestrian Kiosk
SIGN MESSAGE	SIGN DETAILS	PHOTO	
← Palladium ← Park Street Garage [P14] ↑ Maple Road	Sign Face Direction North Cross Streets Old Woodward & Willits		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
018		K-1	Pedestrian Kiosk
SIGN MESSAGE	SIGN DETAILS	PHOTO	
Market North	Sign Face Direction South Cross Streets N. Old Woodward		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
021		G-4	Header for MDOT Guide, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[Header] Birmingham	Sign Face Direction North		
[DOT Panel Recommendation] Old Woodward Ave	Cross Streets Woodward Ave		
↗ Downtown North End			
NOTES			
[see design intent]			

SIGN NUMBER		SIGN TYPE CODE	
022		G-4	Header for MDOT Guide, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[Header] BIRMINGHAM	Sign Face Direction North		
[DOT Panel Recommendation] WB Oakland Ave	Cross Streets Woodward Ave		
→ to Willits St.			

SIGN NUMBER		SIGN TYPE CODE	
023		G-4	Header for MDOT Guide, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[header] BIRMINGHAM	Sign Face Direction South		
[DOT Panel Recommendation] Maple Road	Cross Streets Woodward Ave		
← Downtown			

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
024		G-4	Header for MDOT Guide, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[header]	Sign Face Direction South		
Downtown Birmingham Left Lane	Cross Streets Woodward Ave		

SIGN NUMBER		SIGN TYPE CODE	
025		G-4	Header for MDOT Guide, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[Header] BIRMINGHAM	Sign Face Direction South		
[DOT Panel Recommendation] → EAST Maple Road	Cross Streets Woodward Ave		
↑ WEST Maple Road			

SIGN NUMBER		SIGN TYPE CODE	
026		G-4	Header for MDOT Guide, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[header]	Sign Face Direction North		
[DOT Panel Recommendation] ← to East Maple Road	Cross Streets Woodward Ave		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
027		G-4	Header for MDOT Guide, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[header] BIRMINGHAM [DOT Panel Recommendation] ↩ Old Woodward Ave Downtown	Sign Face Direction South Cross Streets Woodward Ave		
SIGN NUMBER		SIGN TYPE CODE	
028		G-4	Header for MDOT Guide, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[header] BIRMINGHAM [DOT Panel Recommendation] ↩ Old Woodward Ave Downtown	Sign Face Direction South Cross Streets Woodward Ave		
SIGN NUMBER		SIGN TYPE CODE	
029		G-4	Header for MDOT Guide, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[header] BIRMINGHAM [DOT Panel Recommendation] ↗ Elm St Bowers St EAST	Sign Face Direction South Cross Streets Woodward Ave		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
039		P-2	Parking Entrance Identification
SIGN MESSAGE	SIGN DETAILS	PHOTO	
Municipal Parking Lot #6 NOTES (No Parking on Sundays 6 AM - 3PM)	Cross Streets N. Old Woodward		
SIGN NUMBER		SIGN TYPE CODE	
040		T-1	Secondary Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
↗ Parking ↑ Woodward Ave	Sign Face Direction South Cross Streets N. Old Woodward Ave & Harmon St		
SIGN NUMBER		SIGN TYPE CODE	
041		G-3	District Identification
SIGN MESSAGE	SIGN DETAILS	PHOTO	
BIRMINGHAM DOWNTOWN Welcome to North Market			

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
042		G-1	Directional, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
BIRMINGHAM DOWNTOWN ← Old Woodward Garage [P13] → Park Street Garage [P14] ↑ Market North	Sign Face Direction South Cross Streets Old Woodward & Hamilton		
SIGN NUMBER		SIGN TYPE CODE	
043		G-1	Directional, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[West] BIRMINGHAM DOWNTOWN → City Hall → Pierce St. Garage [P11] [East] ← City Hall ← Pierce St. Garage [P11]	Sign Face Direction East and West		
NOTES			
Double-sided			
SIGN NUMBER		SIGN TYPE CODE	
044		G-1	Directional, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
BIRMINGHAM DOWNTOWN ← Old Woodward Garage [P13] → Shain Park → City Hall	Sign Face Direction West Cross Streets W Maple & Chester		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
045		G-1	Directional, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
BIRMINGHAM DOWNTOWN ↑ Old Woodward Garage [P13] ← Haynes Square → Market North	Sign Face Direction West Cross Streets W Maple & Chester		
SIGN NUMBER		SIGN TYPE CODE	
046		G-1	Directional, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
BIRMINGHAM DOWNTOWN ← Peabody St. Garage [P10] → Park Street Garage [P14] ↑ Old Woodward Ave.	Sign Face Direction East	 	

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
047		G-1	Directional, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
BIRMINGHAM DOWNTOWN ← Pierce St. Garage [P11] → Peabody Garage [P10]	Sign Face Direction South Cross Streets S. Old Woodward & Daines		
SIGN NUMBER		SIGN TYPE CODE	
048		G-2	Directional, Small
SIGN MESSAGE	SIGN DETAILS	PHOTO	
BIRMINGHAM DOWNTOWN ↑ Birmingham Museum	Sign Face Direction South Cross Streets S. Old Woodward & Daines		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
049		G-2	Directional, Small
SIGN MESSAGE	SIGN DETAILS	PHOTO	
BIRMINGHAM DOWNTOWN ← Brown St. to Downtown	Sign Face Direction North Cross Streets Southfield Road		
NOTES			
[City Map]			
SIGN NUMBER		SIGN TYPE CODE	
050		G-1	Directional, Large
SIGN MESSAGE	SIGN DETAILS	PHOTO	
BIRMINGHAM DOWNTOWN ← Birmingham Museum ↑ Chester St. Garage [P12] ↑ Downtown	Sign Face Direction West Cross Streets Southfield Road		

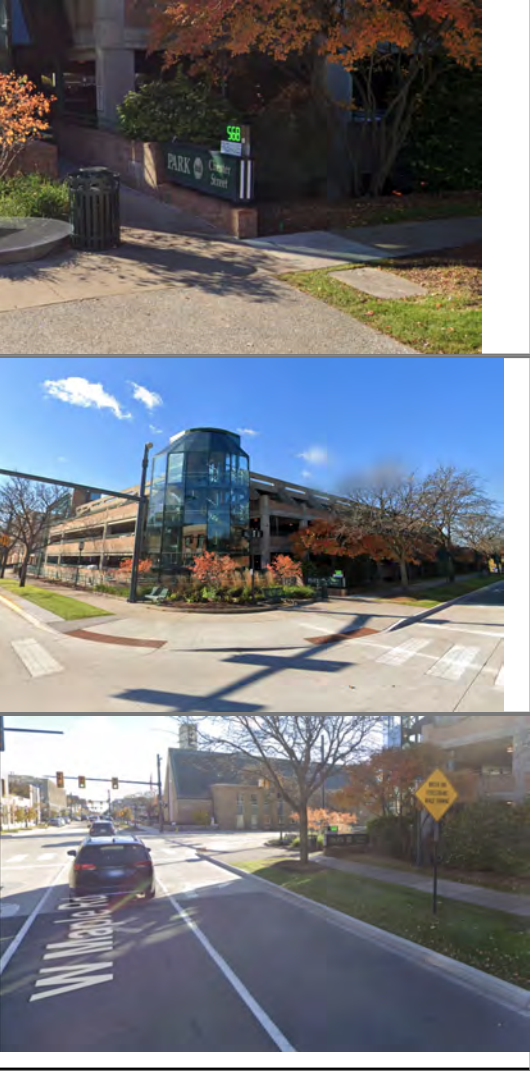
BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE				DATE: 11/10/2023
SIGN NUMBER		SIGN TYPE CODE		
065		G-3 District Identification		
SIGN MESSAGE		SIGN DETAILS		PHOTO
BIRMINGHAM DOWNTOWN Welcome to North Market		Sign Face Direction North Cross Streets Old Woodward & Bloomfield Ct.		
SIGN NUMBER		SIGN TYPE CODE		
068		G-3 District Identification		
SIGN MESSAGE		SIGN DETAILS		PHOTO
BIRMINGHAM Welcomes You Welcome to Rail District		Sign Face Direction South Cross Streets S. Eton & Lincoln		
NOTES				
[City Map]				
SIGN NUMBER		SIGN TYPE CODE		
069		G-3 District Identification		
SIGN MESSAGE		SIGN DETAILS		PHOTO
BIRMINGHAM Welcomes You Welcome to Rail District		Sign Face Direction North Cross Streets S. Eton & Maple		
NOTES				
[City Map]				

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE			DATE: 11/10/2023
SIGN NUMBER		SIGN TYPE CODE	
070		G-2	Directional, Small
SIGN MESSAGE	SIGN DETAILS	PHOTO	
BIRMINGHAM Welcomes You	Sign Face Direction North		
← Arts Center	Cross Streets Cranbrook Rd & 14 Mile		
NOTES			
[City Map]			
			

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE				DATE: 11/10/2023
SIGN NUMBER		SIGN TYPE CODE		
100		P-3 Parking Garage, Projecting Counter		
SIGN MESSAGE		SIGN DETAILS		PHOTO
[P13] Old Woodward		Sign Face Direction North and South Cross Streets 333 N. Old Woodward		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE			DATE: 11/10/2023
SIGN NUMBER		SIGN TYPE CODE	
103		 P-4	Parking Garage, Freestanding Counter
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[P13] Old Woodward	Sign Face Direction East and West Cross Streets Willits	 	

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
105		 P-1	Parking Garage, Wall Identification
SIGN MESSAGE		SIGN DETAILS	PHOTO
[P12] Chester Street			

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
106		 P-4	Parking Garage, Freestanding Counter
SIGN MESSAGE		SIGN DETAILS	PHOTO
[P12] Chester Street			

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
107		P-3	Parking Garage, Projecting Counter
SIGN MESSAGE		SIGN DETAILS	PHOTO
[P12] Chester Street		Sign Face Direction West	
SIGN NUMBER		SIGN TYPE CODE	
109		P-1	Parking Garage, Wall Identification
SIGN MESSAGE		SIGN DETAILS	PHOTO
[P14] Park Street		Sign Face Direction East	

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
110		P-3	Parking Garage, Projecting Counter
SIGN MESSAGE		SIGN DETAILS	PHOTO
[P14] Park Street		Sign Face Direction North and South	
NOTES			
East Entrance			
SIGN NUMBER		SIGN TYPE CODE	
111		P-1	Parking Garage, Wall Identification
SIGN MESSAGE		SIGN DETAILS	PHOTO
[P14] Park Street		Sign Face Direction West	
NOTES			
West Entrance			

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
112		 P-3	Parking Garage, Projecting Counter
SIGN MESSAGE		SIGN DETAILS	PHOTO
[P14] Park Street		Sign Face Direction North and South	
NOTES			
West Entrance			
SIGN NUMBER		SIGN TYPE CODE	
113		 P-1	Parking Garage, Wall Identification
SIGN MESSAGE		SIGN DETAILS	PHOTO
[P10] Peabody Street		Sign Face Direction East	
SIGN NUMBER		SIGN TYPE CODE	
114		 P-3	Parking Garage, Projecting Counter
SIGN MESSAGE		SIGN DETAILS	PHOTO
[P] Peabody Street		Sign Face Direction North and South	

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
115		 P-5	Parking Custom
SIGN MESSAGE		SIGN DETAILS	PHOTO
Peabody Parking South Entrance		Sign Face Direction North and South	
NOTES			
Pedestrian Entrance Vinyl on door			
SIGN NUMBER		SIGN TYPE CODE	
116		 P-3	Parking Garage, Projecting Counter
SIGN MESSAGE		SIGN DETAILS	PHOTO
[P11] Pierce Street		Sign Face Direction West	
			

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
117		P-3	Parking Garage, Projecting Counter
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[P11] Pierce Street	Sign Face Direction East and West		
SIGN NUMBER		SIGN TYPE CODE	
118		P-1	Parking Garage, Wall Identification
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[P11] Pierce Street	Sign Face Direction West		
SIGN NUMBER		SIGN TYPE CODE	
119		P-5	Parking Custom
SIGN MESSAGE	SIGN DETAILS	PHOTO	
Parking Entrance	Sign Face Direction South		
NOTES			
Custom sign on arch			

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
130		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
→ [P14] Park Street	Sign Face Direction North		
NOTES			
(May not be able to replace according to DOT)			
SIGN NUMBER		SIGN TYPE CODE	
131		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
← [P13] Old Woodward	Sign Face Direction South		
NOTES			
Parking sign should go on a post across the street, north side of Oakland Ave.			

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
133		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
← [P14] Park Street	Sign Face Direction East		
SIGN NUMBER		SIGN TYPE CODE	
135		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
← [P13] Old Woodward	Sign Face Direction South		

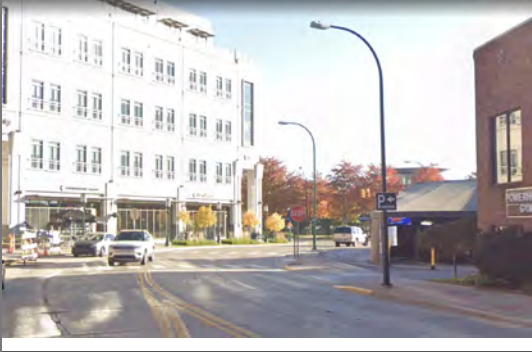
BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
137		X	DEMO
SIGN MESSAGE	SIGN DETAILS	PHOTO	
Don't need a T-2 with this messaging on sign #45.	Sign Face Direction East		
SIGN MESSAGE	SIGN DETAILS	PHOTO	
			

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
139a		X	DEMO
SIGN MESSAGE		SIGN DETAILS	PHOTO
NOTES		Sign Face Direction	
Too many signs in this location.		East	
			
SIGN NUMBER		SIGN TYPE CODE	
139b		X	DEMO
SIGN MESSAGE		SIGN DETAILS	PHOTO
		Sign Face Direction	
		West	

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
141a		T-2	Parking Trailblazer
SIGN MESSAGE		SIGN DETAILS	PHOTO
← [P14] Park Street		Sign Face Direction	
NOTES		East	
Double-sided			
SIGN NUMBER		SIGN TYPE CODE	
141b		T-2	Parking Trailblazer
SIGN MESSAGE		SIGN DETAILS	PHOTO
→ [P14] Park Street		Sign Face Direction	
NOTES		West	
Double-sided			
SIGN NUMBER		SIGN TYPE CODE	
143		X	DEMO
SIGN MESSAGE		SIGN DETAILS	PHOTO
		Sign Face Direction	
		Northeast	

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
145		T-2	Parking Trailblazer
SIGN MESSAGE		SIGN DETAILS	PHOTO
→ [P14] Park Street		Sign Face Direction North	
NOTES			
(May not be able to replace according to DOT)			
SIGN NUMBER		SIGN TYPE CODE	
146a		T-2	Parking Trailblazer
SIGN MESSAGE		SIGN DETAILS	PHOTO
→ [P14] Park Street		Sign Face Direction East	
NOTES		Cross Streets Hamilton & Ferndale	
(alt location at Hamilton & Park st.)			

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
146b		T-2	Parking Trailblazer
SIGN MESSAGE		SIGN DETAILS	PHOTO
← [P14] Park Street		Sign Face Direction West	
SIGN NUMBER		SIGN TYPE CODE	
147		T-2	Parking Trailblazer
SIGN MESSAGE		SIGN DETAILS	PHOTO
→ [P] Peabody Street		Sign Face Direction North	
SIGN NUMBER		SIGN TYPE CODE	
149		T-2	Parking Trailblazer
SIGN MESSAGE		SIGN DETAILS	PHOTO
→ [P] Peabody Street		Sign Face Direction East Cross Streets Peabody & Brown	

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
151		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
← [P] Peabody Street	Sign Face Direction West Cross Streets Peabody & Brown		
SIGN NUMBER		SIGN TYPE CODE	
153a		P-5	Parking Custom
SIGN MESSAGE	SIGN DETAILS	PHOTO	
Exit	Sign Face Direction East and West		
SIGN NUMBER		SIGN TYPE CODE	
153b		P-5	Parking Custom
SIGN MESSAGE	SIGN DETAILS	PHOTO	
Entrance	Sign Face Direction East and West		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
155		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[P11] → Pierce Street	Sign Face Direction Northeast Cross Streets Brown & Pierce		
SIGN NUMBER		SIGN TYPE CODE	
156		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[P11] ← Pierce Street	Sign Face Direction West Cross Streets Brown & Pierce		
NOTES			
sign currently faces south, needs to be perpendicular to road. (OR have arrow point straight ahead)			
SIGN NUMBER		SIGN TYPE CODE	
160		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[P12] ← Chester Street	Sign Face Direction East		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
161		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[P12] → Chester Street	Sign Face Direction North Cross Streets Chester & Martin		
SIGN NUMBER		SIGN TYPE CODE	
162		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[P12] → Chester Street	Sign Face Direction South		
SIGN NUMBER		SIGN TYPE CODE	
163		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[P12] → Chester Street	Sign Face Direction West		

BIRMINGHAM, MI CITY OF BIRMINGHAM, MICHIGAN SIGN MESSAGE SCHEDULE		DATE: 11/10/2023	
SIGN NUMBER		SIGN TYPE CODE	
164a		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[P13] → Old Woodward	Sign Face Direction East		
SIGN NUMBER		SIGN TYPE CODE	
164b		T-2	Parking Trailblazer
SIGN MESSAGE	SIGN DETAILS	PHOTO	
[P13] ← Old Woodward	Sign Face Direction West		
NOTES			
Double-sided			

OVERALL FABRICATION & INSTALLATION BUDGET

Birmingham, Michigan Wayfinding Signage Budget Estimate - OVERALL

Note: This is an estimate only, not to be considered a quote, and includes fabrication and installation of new signage, as well as estimated shipping costs.

Description		Quantity	Unit Fab & Install	Total Fab & Install
Vehicular Wayfinding Signs				
G-1	Directional, Large	7	10,400	72,800
G-2	Directional, Small	3	9,060	27,180
G-3	District Identification	4	9,060	36,240
G-4	Header for MDOT Guide, Large	9	2,700	24,300
T-1	Secondary Trailblazer	1	1,365	1,365
T-2	Parking Trailblazer	20	1,365	27,300
			Subtotal	189,185
Monument Welcome Signs				
ID-1	Ground Mounted Identification, Large	2	43,000	86,000
ID-2	Ground Mounted Identification, Medium	2	38,000	76,000
			Subtotal	162,000
Pedestrian Wayfinding				
K-1	Pedestrian Kiosk	14	12,750	178,500
Parking Identification Signs				
P-1	Parking Garage, Wall Identification	5	9,000	45,000
P-2	Parking Identification, Freestanding	1	1,365	1,365
P-3	Parking Garage, Projecting Counter	7	14,160	99,120
P-4	Parking Garage, Freestanding Counter	2	12,850	25,700
P-5	Parking Custom	4	250	1,000
			Subtotal	172,185

TOTAL Cost for Signage Package \$ 701,870.00

BUDGETING AND PHASING

During the Master Plan process, Corbin Design coordinated with several national fabricators in order to prepare an accurate budgetary estimate. Using these numbers, a phasing plan has been developed to help the city of Birmingham determine how to most effectively get the signs fabricated and installed in an impactful yet efficient way. See next page for phasing plan details.

Phase 1

The recommended first phase of implementation focuses on major gateway signage and trailblazing directional signage to get visitors off of Woodward Ave. and into Downtown. It is recommended that several pedestrian kiosks be included in this initial phase as budget allows.
NOTE: Content for pedestrian maps needs to be developed prior to installation.

Phase 2

The second phase of implementation will be the largest of the project and focuses on the remainder of the vehicular directional signs, including parking trailblazers, as well as the remaining entrance signs and additional pedestrian kiosks. If kiosks were excluded from Phase 1, they should be reallocated into this phase.

Phase 3

The third phase includes the remainder of the wayfinding signage with a emphasis on MDOT signage, district identification markers and the remainder of the pedestrian kiosks.

Parking Identification

The parking identification signs have been identified as their own phase as these signs can be implemented independent of the wayfinding system. This package can also be broken down into additional, smaller phases as deemed necessary by the City and as budgets allow.

Pricing Notes

The budgetary numbers are based on late 2023 material and labor pricing. There is an expectation that the prices will increase based on changes in quantities and length of time passed.

When budgeting for future phases, the City should consider the following budget increase:

- Second Year Pricing: + 7.5%
- Third Year Pricing : + 15%
- Fourth Year+ Pricing: + 20%

PHASING PLANS & BUDGETS

PHASE 1 - \$167,000				
Description and Locations		Quantity	Unit Fabrication	Total Fab & Install
G-1	Directional, Large - 042, 044, 045, 046, 047	5	10,400	52,000
ID-1	Ground Mounted Identification, Large - 001, 002	2	43,000	86,000
K-1	Pedestrian Kiosk (BID AS ALTERNATE ITEM) - 006, 007 (City can select any two)	2	14,500	29,000
TOTAL Cost for Phase 1			\$	167,000.00

PHASE 2 - \$254,645				
G-1	Directional, Large -043, 050	2	10,400	20,800
G-2	Directional, Small - 048, 049, 070	3	9,060	27,180
ID-2	Ground Mounted Identification, Medium -003, 004	2	38,000	76,000
K-1	Pedestrian Kiosk -005, 008, 009, 010, 011, 015, 017, 018	8	12,750	102,000
T-1	Secondary Trailblazer -040	1	1,365	1,365
T-2	Parking Trailblazer - 130, 131, 133, 135, 141a, 141b, 145, 146a, 146b, 147, 149, 151, 155, 156, 160, 161, 162, 163, 164a, 164b	20	1,365	27,300
Total Cost for Phase 2				\$254,645

PHASE 3 - \$111,540				
Description and Locations		Quantity	Unit Fabrication	Total Fab & Install
G-3	District Identification - 041, 065, 068, 069	4	9,060	36,240
G-4	Header for MDOT Guide, Large -021, 022, 023, 024, 025, 026, 027, 028, 028	9	2,700	24,300
K-1	Pedestrian Kiosk - 012, 013, 014, 016	4	12,750	51,000
TOTAL Cost for PHASE 3			\$	111,540.00

PARKING IDENTIFICATION PHASE- \$172,185				
Description and Locations		Quantity	Unit Fab &Install	Total Fab & Install
P-1	Parking Garage, Wall Identification - 105, 109, 111, 113, 118	5	9,000	45,000
P-2	Parking Identification, Freestanding - 039	1	1,365	1,365
P-3	Parking Garage, Projecting Counter - 100, 107, 110, 112, 114, 116, 117	7	14,160	99,120
P-4	Parking Garage, Freestanding Counter - 103, 106	2	12,850	25,700
P-5	Parking Custom - 115, 119, 153a, 153b	4	250	1,000
Total Cost for Parking Identification				\$172,185



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PAS MEMO

Wayfinding: The Design of Getting Lost and Found

By Katie Osborn

Wayfinding is an integral part of our everyday lives. In its purest form, it helps people get from point A to point B. It can also create a sense of safety while encouraging discovery of the unknown.

Wayfinding systems can be an asset and opportunity for communities with many positive outcomes. These can include an increased awareness of walkability for residents and visitors, resulting in health benefits, and an increase in patrons for shopping, eating, and drinking establishments. Wayfinding can reinforce a community's brand and help visitors to discover and explore the community. Finally, wayfinding can help enhance visual character, define districts, and create a sense of place and boundaries for the community.

In engaging with communities to develop wayfinding systems, planners can work with other design professionals and community stakeholders to define the goals, understand the opportunities, and outline the requirements that are needed for a successful wayfinding system.

This *PAS Memo* will introduce planners to the importance of wayfinding, the elements of a wayfinding system, and how to create a wayfinding system.

The Importance of Wayfinding

Experiences for both community residents and visitors can be strengthened through designing wayfinding systems that provide appropriate information at key decision points within the physical environment. Successful systems help people navigate to their destinations without realizing they used any wayfinding at all.

Additionally, wayfinding can help extend a community's brand within its jurisdiction or create boundaries in shared spaces, such as municipal buildings with multiple agencies. For example, transportation hubs used by multiple systems will need clarity of boundaries through placement of clear gateways and branding; however, consistency of messaging throughout the hub creates a consistent and comprehensive path of travel by the user.

The primary users of wayfinding systems are those visiting a location for the first time, but it's important to realize that "first-time

visitor" doesn't mean only tourists. Users of wayfinding systems may include residents who are discovering new areas of their communities, delivery persons, or part-time residents.

It is critical that users feel safe and comfortable getting to their destinations. The sense of getting lost, or feeling that the time it takes to locate a destination is longer than expected, can increase anxiety and influence the way someone feels about their experience. It can also reduce efficiencies of transportation and delivery and add extra time and costs to those economic functions.

Planning a wayfinding system begins with understanding how an area is organized and what patterns already exist. Important elements include pathways, districts, boundaries, nodes, and landmarks. These architectural features and structures allow people to create a sense of legibility of the space, as Kevin Lynch describes in the 1960 classic *The Image of the City*.

Legibility of a city encompasses the mental images people hold in their minds and is the basis for how they will navigate through a space using those pathways, districts, boundaries, nodes, and landmarks (Lynch 1960). Built environments with these features make wayfinding intuitive for visitors and are more likely to generate return visits. Lynch noted that color, shape, and light are cues that people use to orient themselves within the context of the city. Consistent use of these sensory cues from the external environment is the foundation of wayfinding. Today, digital platforms are also an integral tool for providing cues within the wayfinding process.

Features that make up a city act as a natural wayfinding system within the urban context. However, it works only over time with extended use of the city by regular users. People need more than architecture and structures to determine where they are going, and this is where developing a wayfinding system connects the structure of the city to the users.

In 2017, San Carlos, California, began developing a [down-town wayfinding system](#) based on feedback that municipal parking lots were difficult to find. In a city of just under six square miles and 30,000 residents, the downtown acts as the town "living room" where residents and those from nearby communities come together.

With the initial goal of making parking easier to find, city planners leveraged the need for better wayfinding to parking lots and expanded the system to include key city destinations such as parks, city hall, the airport, and the library. They also used the system to create “gateways” to visually define the entrances into San Carlos. The initial feedback from the downtown wayfinding program encouraged planners to broaden the program citywide to address the multimodal needs of pedestrians and cyclists and to decrease traffic by getting people to their destinations more directly (San Carlos DCD 2018).

As cities develop over time and new districts are added, or areas are rezoned impacting economic hubs, wayfinding systems can be used to enhance walkability and encourage exploration of these areas. If there is already a system in place, adapting the program or creating a distinctly different system to reflect changes will encourage seamless navigation throughout the growth and expansion of a municipality.

Minneapolis already had a downtown wayfinding system in place but created the [Riverfront District Signage & Wayfinding Master Plan](#) to help define and identify a section of riverfront near the downtown (Minneapolis DCPED 2004). The goals were to create a strong sense of place, help visitors find their way to and around the district, and enhance the experience of its many historical, recreational, cultural, and commercial amenities. These goals allowed the team to develop a system that defined the boundaries of the district with a distinctive design, communicated information at key decision points, and provided supporting information along the way to the user’s destination.

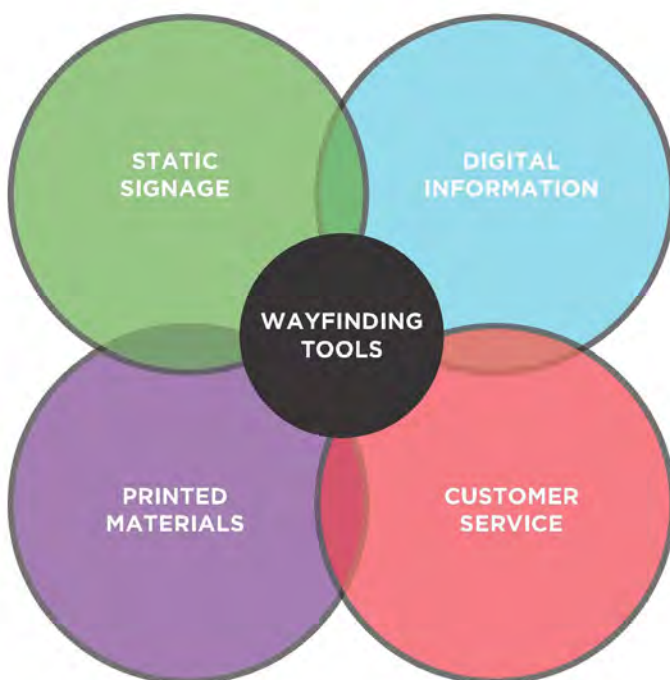


Figure 1. Wayfinding tools. Courtesy Via Collective.

Elements of a Wayfinding System

People often refer to wayfinding as signage, but wayfinding systems are composed of a number of different elements that should be thought of as wayfinding tools.

Because people absorb information using all five senses, wayfinding systems can be made up of a variety of solutions, including visual, tactile, or spoken. These solutions become the wayfinding tools. They can include signs, maps, lists of destinations, or direct assistance from other people. Wayfinding systems should reflect the audience’s needs, and because everyone absorbs information differently, the most effective systems will use a variety of different tools.

By conceptualizing the elements in a wayfinding program as tools, the program can focus on how people will obtain the information rather than the structures that the information will be placed on. This approach allows for a comprehensive strategy development versus a narrow focus on signage, which is only one element of a system. Static signage, digital information, printed materials, and in some cases, customer service can all make up the tools of a wayfinding system. The following categories are a variety of sign types that will assist people in getting to their destinations (see also Figure 1).

Static Signage

When people use the term “wayfinding,” static signage, or more specifically directional signage, is usually what comes to mind. Because these signs are only one type of tool that can provide information, they should be considered as part of but not the entire solution. Basic static signage types include gateway signage that defines the entrances or exits of a district, directional signage at decision points, and identification signage that confirms a user has arrived at the destination.

Static maps located between decision points within a downtown district can encourage exploration, identify key destinations, and list available amenities. Locating maps between decision points also encourages people to stop and confirm they are going in the correct direction. “Heads-up mapping,” the practice of depicting a static map as facing the same cardinal direction people are facing while reading it, can be helpful when major landmarks do not exist to anchor people within the context of the environment. This mapping approach, if considered, should be tested during the design phase to determine whether legibility of the locations and surrounding areas creates more clarity or confusion when reading a static map.

The design components of static signage include scale, color, and typography. The appropriate scale of the sign and size of the design elements are determined by the sign’s location and the mode of transportation from which it will be viewed: vehicular, pedestrian, or cyclist. It is important to consider consistent design qualities, determine the hierarchy of information within different types of signs, and ensure the placement of signs at key decision points.

The Federal Highway Administration’s [Manual on Uniform Traffic Control Devices for Streets and Highways \(MUTCD\)](#) provides guidelines for designing vehicular signs. A section specifically on community wayfinding includes recommendations on

colors, fonts, letter height, contrast, symbols, size, and shape. Pedestrian signage may be governed by local codes, which may include guidelines for the quantity, location, content, color, illumination, or size of signs. If a system includes interior signage, rules govern the typography, color, and contrast of certain interior sign types, such as door signs. These signs must adhere to [Americans with Disabilities Act \(ADA\) accessibility requirements](#) (ASI Sign Systems 2010).

Digital Information

Websites, smartphones, interactive signs, and variable messaging are all capabilities that need to be considered as part of digital signage. In general, digital signage is best used for highly variable information and can be a useful asset for systems in which information changes within less than six months, such as access points during construction, parking garage availability, or event destinations.

Websites and smartphone information should be considered for trip planning offsite and journey confirmation onsite. Because smartphones are now integrated into our everyday lives, apps and accessible websites are also considerations when communicating directions.

When determining the best use of digital media onsite, consider that placement of the sign will have the most impact on how users will perceive and interact with the variety of content and usability of the screen. Digital screens that are not interactive can serve many through overhead placement; however, interactive signage is best used to serve individuals one at a time. A ground-mounted digital screen will be perceived as touchscreen, even if it isn't, since it is within arm's reach. Conversely, a wall-mounted screen mounted above six feet will not be perceived as touchscreen, even if it is, because it is out of reach of so many. Therefore, considering the types of content provided and desired levels of interactivity are key to determining if digital signage is the best asset to the system.

Printed Materials

Printed maps and addresses with directions still provide valuable information and should not be overlooked as part of a wayfinding program.

Promotional materials for community events, such as festivals or farmers markets, may be mailed out or arrive as email and may be the first piece of information someone receives regarding this destination. Consistent addresses, driving directions, and coordination with maps and destination names that are located at the site provide a connection of information across multiple wayfinding tools. The visual style and information nomenclature presented in these materials should be consistent across the variety of tools used in the system.

Customer Service

General customer service programs should not be overlooked as they provide a human connection between people and their destinations. Listing the chamber of commerce or other welcome centers on maps and directional signage will be helpful for first-time visitors. Areas of the city with large tourist

attractions can benefit from an "on the street" presence. Customer service booths or assistants with branded uniforms can act as "ambassadors" to the city or district.

In Lower Manhattan, the Alliance for Downtown New York's [public safety officers](#) wear red-coat uniforms and caps with the Downtown Alliance logo (Alliance for Downtown New York 2018). These officers are part of the community-facing ambassador program to help locals and visitors with directions, provide a sense of safety, and assist in emergencies. They are the "eyes on the street."

Other Wayfinding Considerations

There are other important aspects of wayfinding systems beyond the informational elements of the system. Wayfinding systems offer opportunities to augment local character; tying them to any community branding programs that might exist is a way to mutually reinforce community character and identification of program elements. It is also important that wayfinding systems be accessible to all; planners should be cognizant of Universal Design principles to ensure that all populations are served by these systems.

Branding

Although a wayfinding system's core purpose is to get people from Point A to Point B, it may also be created as an extension of a community's brand and thereby help provide or reinforce a sense of place.

If a community has already undertaken a branding program (see ["An Introduction to Community Branding," PAS Memo, July-August 2013](#)), obtaining those brand guidelines at the beginning of the project will provide the baseline for the aesthetic direction of the program. Brand elements such as logo, colors, typography, and images should be considered when designing the wayfinding system, as it reinforces the unique personality of the community and helps reinforce a sense of place. Additionally, the brand guidelines may inspire the shape and materials of the signs, which extends the application and perception of the brand. This reinforcement of the brand values in the built environment versus just printed or web-based advertising and communications is another added benefit of implementing the brand properly across the wayfinding system.

Universal Design

As populations become more diverse with a range of abilities and people are living longer, wayfinding is an excellent opportunity to apply universal design standards for an inclusive and approachable wayfinding experience.

The term "universal design" was coined by the architect Ronald Mace to describe the concept of designing all products and the built environment to be aesthetic and usable to the greatest extent possible by everyone, regardless of their age, ability, or status in life (NCSUCUD 2008). These broad-spectrum ideas are meant to produce environments that are inherently accessible to older people and people with disabilities, as well as people without disabilities.

Wayfinding systems can embrace universal design by the scale, typography, placement, and information displayed on

the signs. Table 1 explains how universal design principles may be applied within wayfinding systems.

Table 1. Universal Design Applied to Wayfinding

<i>Principle</i>	<i>Definition</i>	<i>Application within Wayfinding</i>
Equitable Use	The design is useful and marketable to people with diverse abilities.	A greater variety of tools provided within a system will increase the availability of information to the broadest audience; signs, maps, digital, print or customer service. This approach also allows for flexibility for a user to consult multiple tools to confirm their assumptions about how to arrive at the destination.
Flexibility in Use	The design accommodates a wide range of individual preferences and abilities.	
Simple and Intuitive Use	Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.	The use of universal iconography (images and symbols) can be an asset in communicating destinations on the system. Iconography can help facilitate wayfinding in areas where populations speak a variety of languages. Additionally, using iconography can reduce the need for long lists and can promote grouping of information by category. A set of 50 public-domain symbol signs was developed in the 1970s by AIGA, the professional association for design, in partnership with the U.S. Department of Transportation, for free use by all (AIGA 2018).
Perceptible Information	The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.	Large-scale graphics and the placement of signage will assist in the approachability of the sign or map. Good places for large-scale graphics include gateways, main entrances, or restrooms. The placement and scale of the sign or information will allow a variety of differently abled people to approach and consume the information.
Tolerance for Error	The design minimizes hazards and the adverse consequences of accidental or unintended actions.	When confronted with a level of confusion or when not able to interact with the sign or map, people will most likely turn to someone and ask for assistance. Deploying a customer service team at the gateway of a system—in a transportation hub, for instance, or in a central downtown district—can be a final step in helping people find the destination.
Low Physical Effort	The design can be used efficiently and comfortably and with a minimum of fatigue.	
Size and Space for Approach and Use	Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture, or mobility.	The location of the wayfinding tool impacts the ease of use. The placement strategy of locating signs in low traffic-flow areas can assist those that need time to digest information or are using walking devices and better allows multiple people to use the same sign at the same time. Having adequate space without crowding can help people feel comfortable and less anxious about decision making when they may need more time with the map or list of information.

Courtesy Via Collective.

Building a Wayfinding Project Team

Bringing together a cross-functional team is essential when creating a wayfinding system. Because a wayfinding system consists of the content that populates it, the structure of the static and digital tools, and the people who maintain and update the information, a variety of participants can contribute to a successful program. These can include:

1. City planners, city council members, or other public-sector actors to own and guide the project
2. Representatives of stakeholder groups to provide information and feedback on program goals and design
3. Wayfinding strategists and designers to understand the research, conduct audits, define nomenclature and hierarchy, determine sign types and placement of signs, and develop strategy and a design aesthetic
4. IT specialists to specify and provide system requirements for digital signage
5. Marketing and communications departments to connect branding elements and confirm user needs through research and surveys
6. Engineers and fabricators to create structurally sound and implementable systems

Before beginning the process of designing a system, it is important to define who will own and maintain it once it is complete. Throughout the life of the system, destinations will need updating, signs will be broken, and the growth of the city may require additional program expansion. Whether the owner is the planning department, city council, the department of transportation, or a downtown business association, it will need to establish requirements for maintenance and upkeep of the system.

Stakeholders can be broken down into two categories: anyone who represents the users of the information, such as community groups or business improvement district associations, and anyone who contributes to the information and physical nature of the design, such as wayfinding strategists or IT departments.

Both owners and stakeholders need to be at the table from the beginning of a project to establish goals, confirm the process, and define required outcomes. This process was well established for [the Haven Project](#), a master plan for the South Bronx developed by the New York Restoration Project where community members and project leaders brought together the stakeholders and project team to define the outcomes and ideas of how to accomplish them together (see Figure 2).

Wayfinding projects can be multiyear projects; therefore, clear documentation of goals, objectives, and requirements will ensure proper execution of the project throughout staffing and stakeholder changes.

Throughout the course of the project and across the area served by the wayfinding program, there may be physical boundaries where there are multiple owners, opposing goals, or conflicts of jurisdiction. However, it is important to remember that the average user does not perceive these boundaries. The visitor is merely looking to get from point A to point B



Figure 2. Stakeholders for the Haven Project discuss plan vision and goals. Courtesy New York Restoration Project.

and will become frustrated if the wayfinding system suddenly disappears within a space that appears to be part of the same area. It is critical that internal teams overcome differences and focus on how the goals of the system best serve the people.

Designing a Wayfinding System

Wayfinding systems address macro issues—navigation, walkability, economic vitality—at a micro level—lists of destinations, map design, structural design. The design of a wayfinding program is based on three key components: user groups, information requirements, and architectural conditions. Each of these elements inform the who, what, where, and why of creating a program.

Understanding the needs of user groups will help inform the overall goals of the program. User groups may include residents or those from nearby districts; tourists, including those for whom English is a second language; business visitors; or delivery companies. Each of these categories could be broken down further.

Understanding who the users are will help determine what kind of information they need. Within business districts, identifying key destinations such as landmarks, cultural institutions, parks, and recreational facilities is important. If it is determined that private businesses are to be listed, criteria should be established to determine which are to be listed. Identifying businesses, which can come and go at any time, will make for a higher level of variable information within the system, which will impact the types of tools that are most effective to include.

The architectural conditions of the environment will prescribe the sign type (gateway, directional, or informational) and strategic placement of the system. Tools can be one-on-one, such as digital assets and customer service, or can serve many, as is the case with static signage and printed materials. Side-walk widths, traffic density, and type of approach (vehicular,

Case Study: Greater Helena Area Active Living Wayfinding System, Helena, Montana

By Karen Lane

Prevention Programs Manager | Lewis and Clark Public Health, Helena, Montana

The Healthy Communities Coalition in the greater Helena area of Montana developed a comprehensive plan for an Active Living Wayfinding System. The purpose of the community-wide system is to prevent chronic disease by improving access to nutritious food sources and directing people to parks and urban trails to increase participation in physical activity.

With a Plan4Health grant from the American Planning Association (APA) and American Public Health Association, the coalition was able work at the intersection of planning and public health to build a more sustainable, cross-sector approach to healthy living. The system builds on the recently revised Greater Helena Area Transportation Plan, the City of Helena Growth Policy, the Lewis and Clark County Growth Policy, the Downtown Helena Master Plan, and the Community Health Improvement Plan. The lead team for the project included a member of the Western Central District of the APA, a Montana Public Health Association member who is the local health department's chronic disease prevention program manager, and a county community development staff member.

Additionally, a grant from the National Association of Chronic Disease Directors provided technical assistance and resources to ensure that the wayfinding system works for people with

disabilities. Although the diverse coalition of more than 30 members already included people with disabilities, this project underscored the importance of having inclusive communications from the outset of the design process. Representatives of the local Montana Independent Living Project were key to keeping the group on track.

The coalition hired Alta Planning and Design to work with them to define parameters and to create the system and communications plan. The broader community provided input through a public open house a booth at a Saturday farmers market and through focus groups conducted with seniors, people with low incomes, and people with disabilities. The focus-group model was modified to gather input from people with low vision or blindness.

With the completion of the plan in March 2017 (see Figure 3), the community set about developing a demonstration site to show how the wayfinding signs will look when installed. Moving into 2018, public and private partners across the three-jurisdiction area are enthusiastic and are including the signage in their budgets.

Learn more about this project at www.lccountymt.gov/health/healthy-lifestyle/plan4health.html.

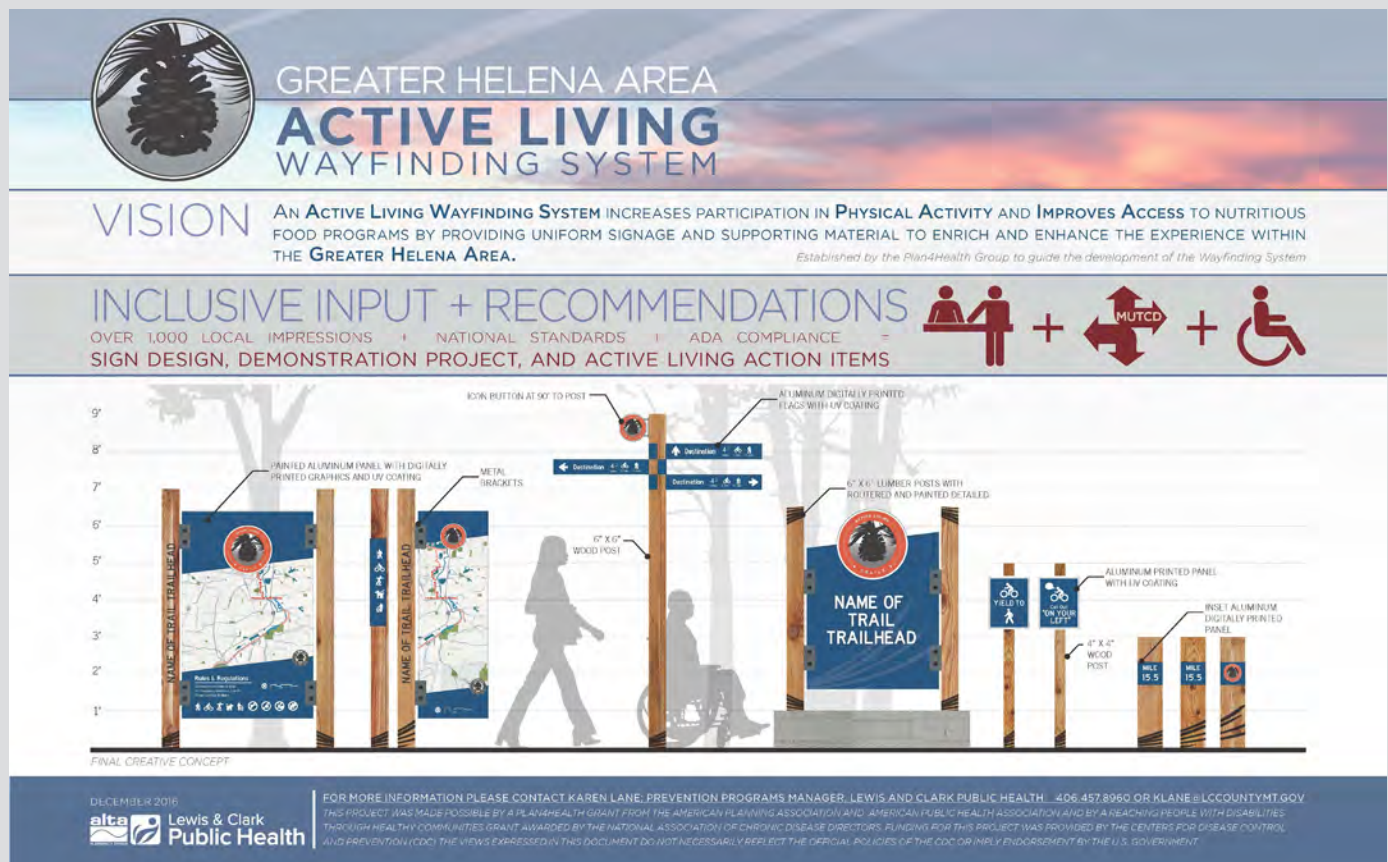


Figure 3. The Greater Helena Area Active Living Wayfinding System vision and creative concept. Courtesy Lewis and Clark Public Health.

pedestrian, or cyclist) will all impact decisions for types of sign and where they will go.

The process for building the system can be broken down into the following phases:

1. Goals and Audience: Articulating the reasons for creating a system and identifying who will use it
2. Inventory and Research: Auditing the current system, determining what's working, and confirming visitor needs through research
3. Strategy Development: Analyzing the needs of the user with the audit and research to develop an approach that meets the goals of the project
4. Design: Creating location plans, message programs, and determining physical design and fabrication approach
5. Construction, Implementation, and Maintenance: Building and installing the system and keeping it current and relevant into the future

Goals and Audience

The creation of a wayfinding system can be initiated for several reasons, including revitalization of civic spaces, new construction as a municipality grows, a rehab of an existing space with a new purpose, or to introduce a new brand. Developing wayfinding systems for such situations can allow for increased engagement by visitors, enhanced walkability of the area, and a greater sense of safety as people become more familiar with where and how to obtain information about the area.

Wayfinding can also be used to support other community values and goals. See the sidebar on p. 6 for a case study of how Helena, Montana, developed its [Active Living Wayfinding System](#) to help improve access to nutritious food and encourage physical activity for residents.

Establishing a set of clear goals that address how the wayfinding system should impact the way people use the surrounding area and what their needs are is important. These can

then be revisited throughout the process to confirm decisions and ensure details stay aligned with desired outcomes.

[London](#) and [New York City](#) created wayfinding systems in the last decade with goals of encouraging walkability (Applied Wayfinding n.d.; Pentagram n.d.). The systems also provided a greater sense of safety, allowing visitors to determine where they are and how far they must go to arrive at their destinations, which may not require public transit or a taxi.

Goals of the program may be based on new development or changes to the built environment, but they may also come from surveys or research performed under other circumstances. Because this information may not have been gathered with the intent of developing a fully comprehensive wayfinding system, revisiting the goals may be advantageous after the next phase, inventory and research, is concluded.

Inventory and Research

Within existing environments, auditing the current wayfinding tools that people use to navigate, including physical signage, digital platforms, and printed communications, is important to understand the full extent of the existing system. This inventory can be used to determine how the system may or may not be currently meeting the goals of the project and what needs to be added to create a comprehensive system.

An auditing system includes photographic documentation and observations of how people are interacting with the current system. Documenting all forms of tools, including websites, apps, signs, and printed materials, will provide a comprehensive view of the program. This process will also provide the opportunity to review nomenclature, hierarchy, and consistency of information.

Performing qualitative and quantitative research will provide an inventory of users' needs and how they use the physical environment to orient themselves and navigate. Qualitative methods, such as interviews and observation studies, can provide the underlying reasons, opinions, and motivations for why people are using the system under current conditions and provide insights as to what an improved system would look



Figures 4 and 5. Conducting visitor surveys and mental mapping research in Randall's Island Park, New York City. Courtesy Via Collective.

Case Study: Randall's Island Park, New York

Randall's Island Park Alliance, Inc. (RIPA) was founded in 1992 as a public-private partnership that manages and develops Randall's Island Park, New York, in coordination with New York City Parks, Triborough Bridge and Tunnel Authority (TBTA), and New York City Department of Transportation (NYC DOT).

Randall's Island is a premier recreational destination, attracting 3 million visitors per year. The park provides sports fields, an outdoor special event space, and other private facilities open to the public as well as several city and state agencies with employees and daily visitors. The park is accessible by car, footbridge, and public buses, but there was a perception that it was difficult to reach and its destinations challenging to find.

Via Collective conducted a thorough audit of the 500-acre island including websites, social media, online communications, maps, directions, and signage (both on and off-island). On a busy spring Saturday, Via Collective conducted user research, collecting surveys from 400 people asking them a predetermined set of questions that provided insights on what they used this park for, what they used to navigate the park, and how easy or difficult it was to locate other destinations within the park. This information helped the firm to determine map design, key destinations, and iconography.

RIPA had always known that both the real and perceived difficulty of wayfinding was preventing the park from serving as many users as it could. The audit and design process enabled the identification of crucial access and decision points, and allowed for systematic thinking about best circulation routes, especially for local pedestrian and cyclists as distinct user categories.

Collaboration among various stakeholders, including RIPA's board of directors, NYC Parks, NYC DOT, TBTA, and the local community board helped to establish goals, research existing concerns, and recommend a strategic design approach to create an integrated wayfinding system. This process allowed the consultants to understand the full scope of the project, the roots of getting lost, and how to develop solutions across all communication mediums that were distinct for pedestrians, cyclists, and drivers to deliver a consistent, cohesive, and integrated wayfinding system.

The final signage program integrated sign types from TBTA, NYC DOT, and NYC Parks to create an identification program that was approved by the New York City Public Design Commission and was implemented by MS Signs in the fall of 2014. Figures 6 and 7 show the integration of three sign types—banner identification, TBTA regulatory signage, and map design—at the base of the Queens access point of the Triborough Bridge for pedestrian and cyclists.

Travelers not in vehicles depend on the signs and destination banners of the system to find their way to their destinations while also learning more about all the park can offer. RIPA has continued to develop the Island-wide pathway system and has seen a significant increase in cyclists commuting between the three surrounding boroughs. Improved access to and

around the park addresses both environmental and economic justice issues in adjacent neighborhoods.

RIPA has further extended the wayfinding rubric into tailored maps—special event maps, a running map, a garden tour map, a map of the park's restored wetlands and waterfront destinations—that are distributed in hard copy and can be downloaded from its [website](#). The wayfinding system has not only led to better access and circulation by the casual visitor and by nonvehicular commuters, it has facilitated new park uses and programming, helping RIPA pursue its goal of providing consistent, creative programming and recreational opportunities for the island's closest neighbors in East Harlem and the South Bronx. RIPA continues to work with Via Collective and various fabricators to address ongoing updates to park access and destinations on a quarterly or yearly basis.



Figures 6 and 7. Sign type integration at Randall's Island Park, New York. Photos by Jason Gardner.

like. Quantitative research can help confirm tool usage and, if multiple designs are tested, can provide insights into which system is easier to interact with.

Visitor surveys can be a quick and easy way to understand what visitors are looking for, how they interact with the current system, or what the current experience they are having navigating the environment. The use of “mental map” research (having people mark where they are, as well as two or three other destinations, on a map) can shed light on the current legibility of the place. Insights provided in the mental mapping exercise can influence the content and design elements of the design of the map. Both of these research techniques were deployed to understand the visitor experience in Randall’s Island Park, New York City (see Figures 4 and 5, p. 7). See the sidebar on p. 8 or a case study of the wayfinding system development process for Randall’s Island Park.

Strategy Development

Once the inventory and research phases are complete, a strategy for the wayfinding system can be developed. This is where the planning of the system takes place. The audit and research should have provided enough information to identify what is working and what issues must be addressed to align with the project goals. The strategy can be based on a variety of conditions including the complexity of the site, numbers of buildings, or the amount of primary versus secondary destinations. The strategy should include the framework of the system: content, location plans, message schedule, and sign types.

A solid understanding of user needs will help define the information content, its hierarchy, and nomenclature. Considerations such as multiple languages, iconography, and how to categorize the information will all be determined in this phase. The audit of the existing system, or a study of the site plans and conditions, will provide insights into where the key sign types are to be located: gateway signs at entrances/exits, directional signs at decision points, and identification signs at destinations.

Location plans map out decision points, destinations, and paths of travel. They show where physical signage will be placed and how additional tools, such as customer service or digital platforms, can support the visitor. Each of the sign types will require a unique identifier that denotes it on the plan. If there are more than one of those sign types, a unique location number is also required. This unique identifier and location number will also appear on a message schedule.

The message schedule connects the locations and the information required for each sign. This content, when combined with the sign location and how people will interact with it, will lead to the design of the system. Additionally, information on the number of sides on a sign, the height and width, and whether the sign is ground or wall mounted will also be added to the message schedule during the design phase.

Design

Following the development of the location and message plans, the next step is physical structure design. Signage connects visitors to destinations and helps them determine whether

they are in the right place, so it serves as an important extension of a community’s brand. The usage of elements such as logo, color, and typography impact the visual design of the wayfinding system. If a community does not have brand guidelines, discussions at the beginning of the project should outline key system branding elements, such as logos, color, and typography.

Of the branding elements, the typeface may need to be reconsidered for signage. As fonts are designed based on their usage, what is used for the logo and printed communications may not be appropriate for wayfinding applications. With the content and hierarchy determined in the strategy phase, studies with various fonts can be conducted during the design phase. Although there are many recommendations on font size based on where the sign is placed and how the user approaches it, if the size is not predetermined by law, then two or three font options should be considered in full-scale mockups to determine readability and legibility of the sign.

Determining which font to use is based on where and how it will be used: Is a sign at eye-level or is it posted overhead? Is it digital or static? Sans serif fonts have the best readability; typefaces such as [Frutiger](#), [Helvetica](#), and [Univers](#) are used across multiple systems in various countries.

This is also a good time for public feedback on sign design—an opportunity for all stakeholders to see the sign in the environment and build momentum for developing the full system.

Finally, material and fabrication specifications must be determined for the program. A drawing of each sign should include the size, material specification, and the intent of how it will be fabricated and installed. This, along with the location plan and message schedule, allows for a cost estimate of the full program.

Once the design is approved, it is important to combine the wayfinding strategy with the planning principles to create a set of wayfinding guidelines. The guidance document should include the goals, research, and design process of the wayfinding system as well as the outline of content nomenclature and hierarchies. These guidelines will assist in implementation, which may happen over several years or across multiple zones. Information on structural design, materials, and fabrication techniques complete the standards.

Construction, Implementation, and Maintenance

The final design specifications, location plans, and message schedule constitute the bid document. This is what will be used by fabricators to provide estimates.

Working with fabricators that are familiar with city permitting and other installation regulations is an important aspect of a successful implementation. Shop drawings are standard documents that will be created before any fabrication will occur. Obtaining color samples and in some cases a full-size mockup is recommended so that there are no surprises during the rollout of the system.

One thing that can seem surprising is the length of time fabrication can take. Depending on scale, quantity of signs, location of implementation, and complexity of the design,

from award of the program to full implementation it can be a minimum of four months before the first sign arrives.

Once the system is fully executed, it is important that there is a system in place for ongoing maintenance. The need to add names to a sign, update digital content updates, or repair a damaged sign can all occur within the first year and throughout the life of the system. The size of the owning organization and the scale of the system impact what the maintenance program looks like. For large-scale systems, a dedicated internal wayfinding manager or group may be most effective, especially when content is highly variable. For smaller systems, an ongoing relationship with the fabricator can be sufficient.

Often, a facility department owns the wayfinding program as there are structures that will need maintenance. In other cases, it will be the operations group because it holds the content that requires updating. However, considering a philosophy of “wayfinding as customer service,” marketing and communications departments may be the best people to manage, coordinate, and create operations around the wayfinding program for its long-term success.

Conclusion

As an extension of the brand of a community, wayfinding systems provide opportunities for increased walkability, positive economic impact, and higher levels of return visitors. Planners have the opportunity to consider how wayfinding, which is more than signage, impacts the vitality and walkability of cities and environments. Keeping a big-picture focus will assist in developing a system that addresses stated goals and that can enhance the visitor experience.

Planners should consider the following recommended practices for wayfinding projects:

1. Outline the project goals and get buy-in from stakeholders that will have final decision-making power to address the needs required for a successful program.
2. Create a cross-functional team that can work together and across the variety of project needs.
3. Understand your visitors through research and information gathering.
4. Create systems that align with existing aesthetic guidelines and zoning regulations.
5. Consider the long-term sustainability of the wayfinding system by developing wayfinding system guideline and having a maintenance plan in place.

When approached with clear goals, stakeholder engagement, and branded design, wayfinding can enhance the visitor experience in the built environment. Strategically based placement of signs, consistency of nomenclature, and tools that engage users on multiple levels and provide consistent and comprehensive information will provide success for the long term.

About the Author

Katie Osborn is the founder of Via Collective, a wayfinding design firm in Brooklyn, New York. Osborn's passion for wayfind-

ing strategy is at the heart of improving people's interactions with the built environment. She often speaks on the topic of wayfinding strategy, most recently at the Society for Experiential Graphic Design, Greenbuild International Conference & Expo, and the American Planning Association's 2016 National Planning Conference. She has over 20 years of experience in design and leads all strategy, research, and analysis required for the success of Via Collective's projects, which includes public and private clients. She holds a BFA from the University of Wisconsin–Stout; has taught typography and design at College of Visual Arts, St. Paul, Minnesota; is a past board member of AIGA Minnesota; is a member of APA, AIGA, and SEG; and is the director of communications for the AIA NY Transportation & Infrastructure committee.

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MEMORANDUM

Finance Department

DATE: December 13, 2023

TO: Jana L. Ecker, City Manager

FROM: Mark Gerber, Finance Director/Treasurer

SUBJECT: Fiscal Year 2022-2023 Audit Presentation

Timothy St. Andrew, and Philip Femminineo from Plante and Moran will be present at the City Commission meeting on December 18, 2023, to give a presentation and answer any questions pertaining to the audit report.

The audit report and letter to the Commission was provided under separate cover. The audit report is available for inspection at the Clerk's Office as well as on the City's website.

Attached is their presentation.



plante moran | Audit. Tax. Consulting.
Wealth Management.

City of Birmingham Commission Presentation

For Year Ended June 30, 2023

8F

Presented by:
Tim St. Andrew
Philip Femminineo



City of Birmingham Agenda

- Executive Summary
- Financial Graphs
- Communication with Those Charged with Governance – End of Audit Letter
- Questions

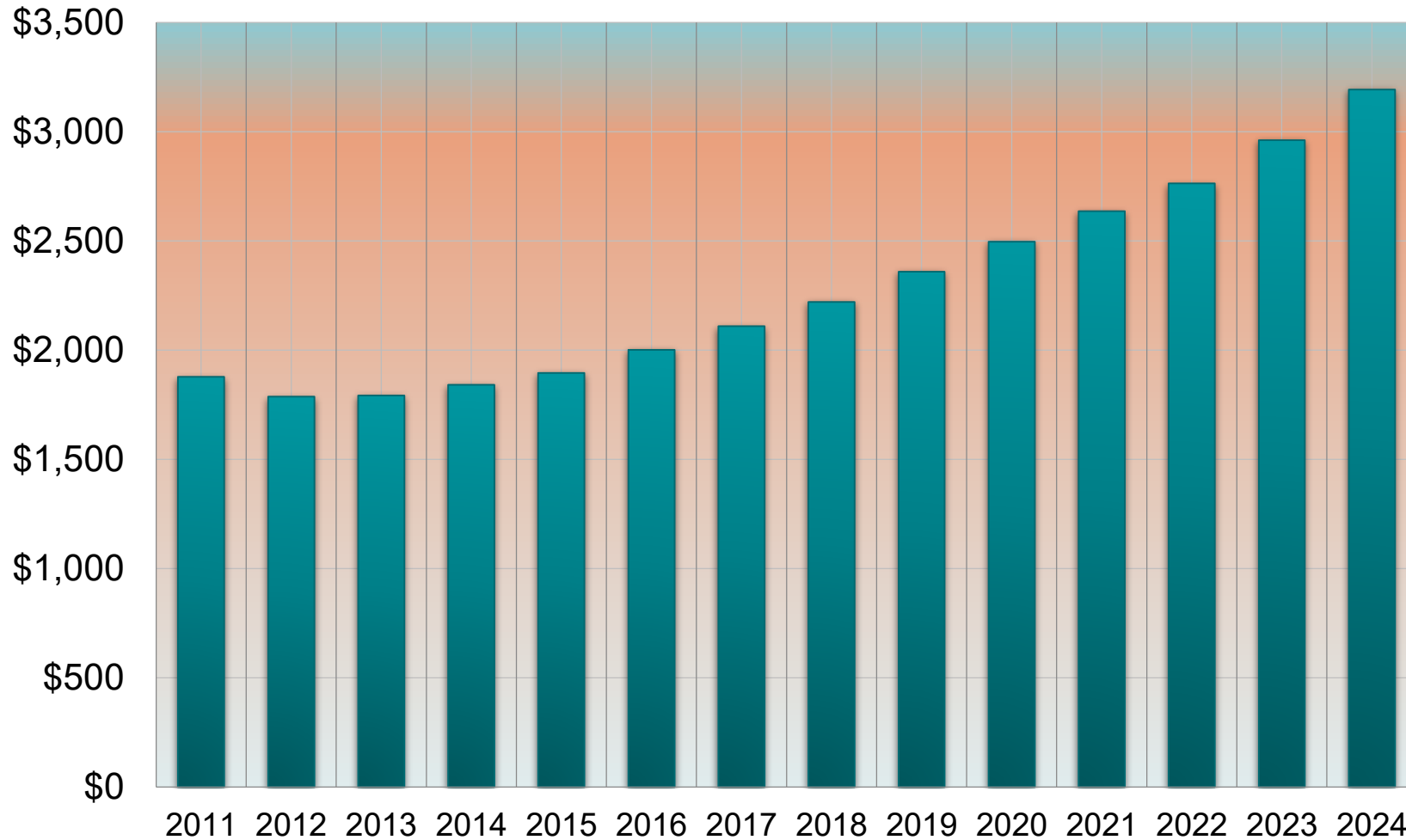


City of Birmingham 2023 Executive Summary

- **Financial Statement Audit** – Unmodified opinion – Highest form of assurance – Opinion now first paragraph in Audit Report
- **Alternative Compliance Examination Engagement** (special engagement for ARPA funding) - CSLFRF–No findings
- **Financial Statement Highlights**
 - General Fund fund balance increased by approximately \$4.4 million
 - Approximately \$21.2 million was invested in City infrastructure, machinery, and equipment
 - Federal Grants Received - \$1.3 million
 - Pension system is 79% funded as of June 30, 2023
 - Retiree healthcare system is 86% funded as of June 30, 2023

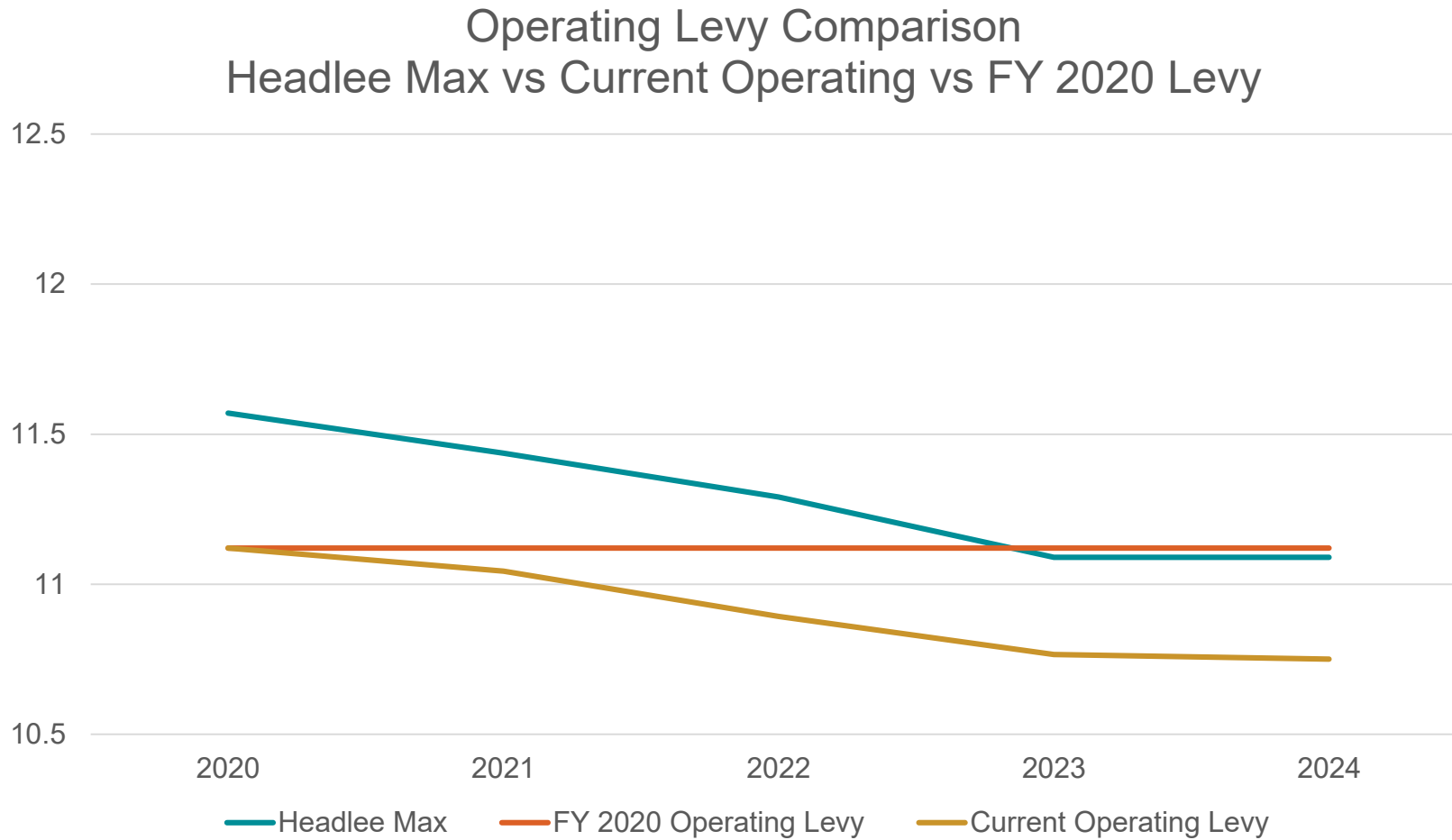


City of Birmingham Total Taxable Values (in millions)





City of Birmingham Operating Levy Comparison

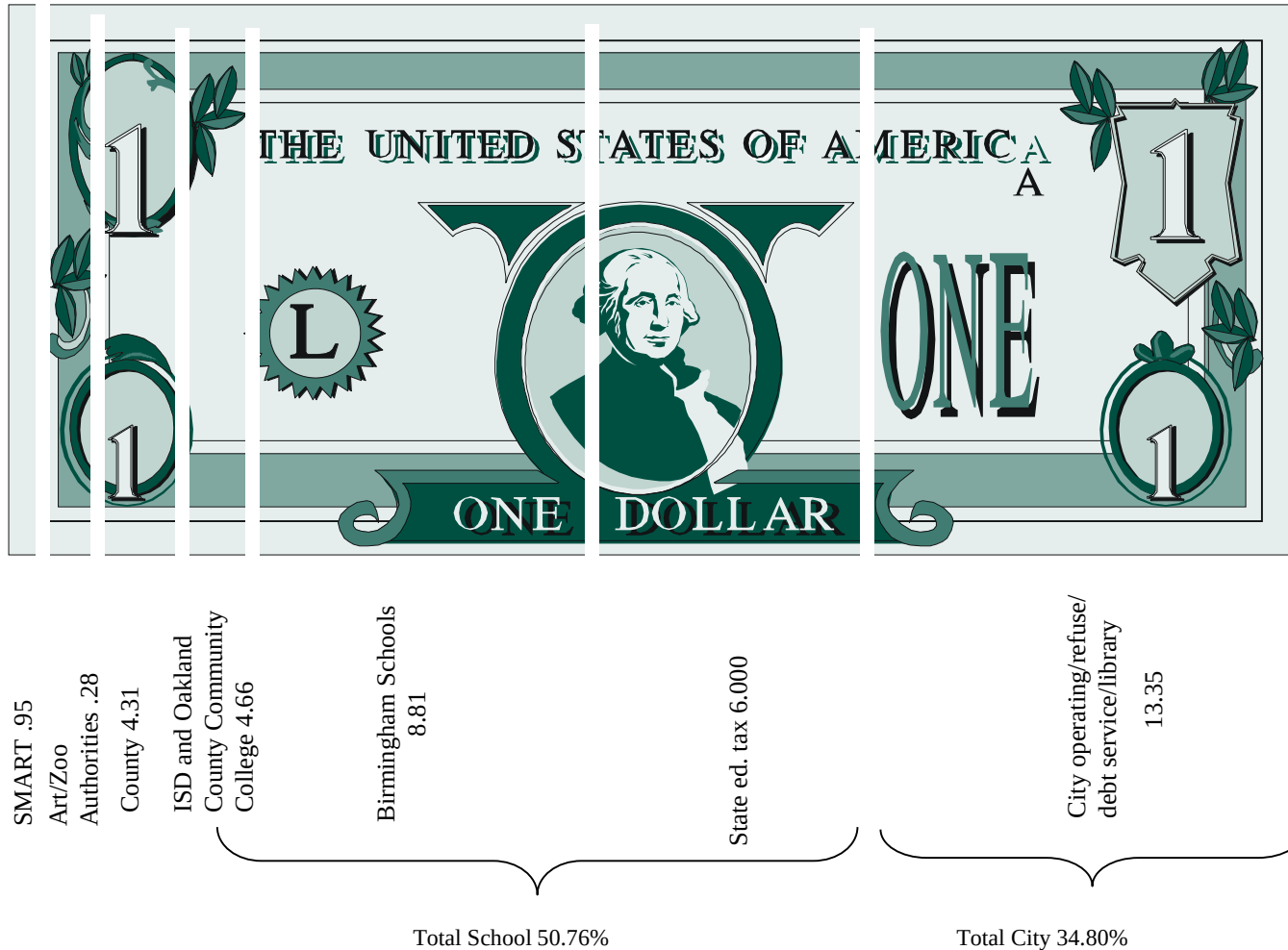




Homestead Property Tax Analysis

2022 Levy

City of Birmingham — Year Ended June 30, 2023

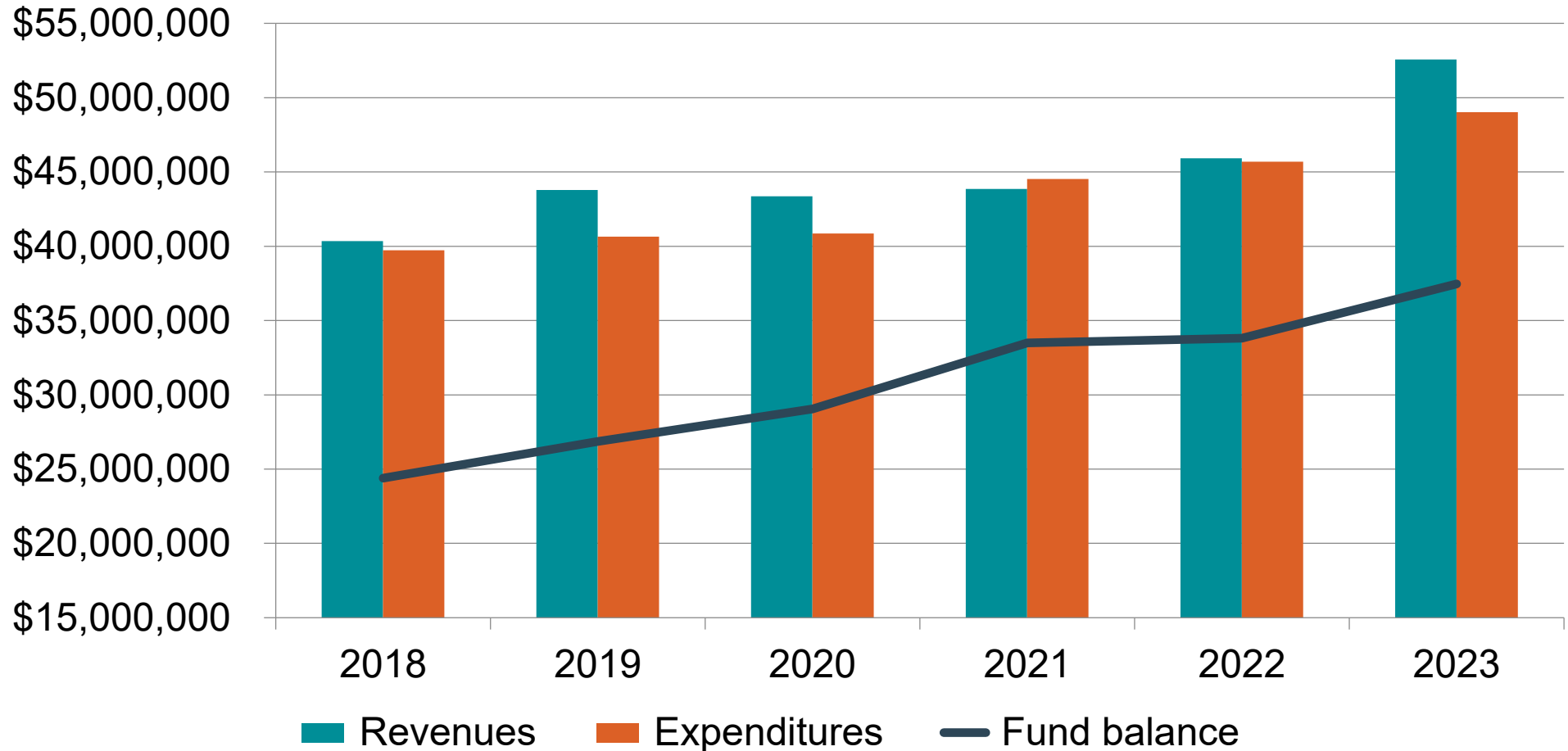




City of Birmingham Revenues, Expenditures, and Fund Balance Years Ended June 30

All Governmental Funds

Forward planning has allowed the City to manage its fund balance

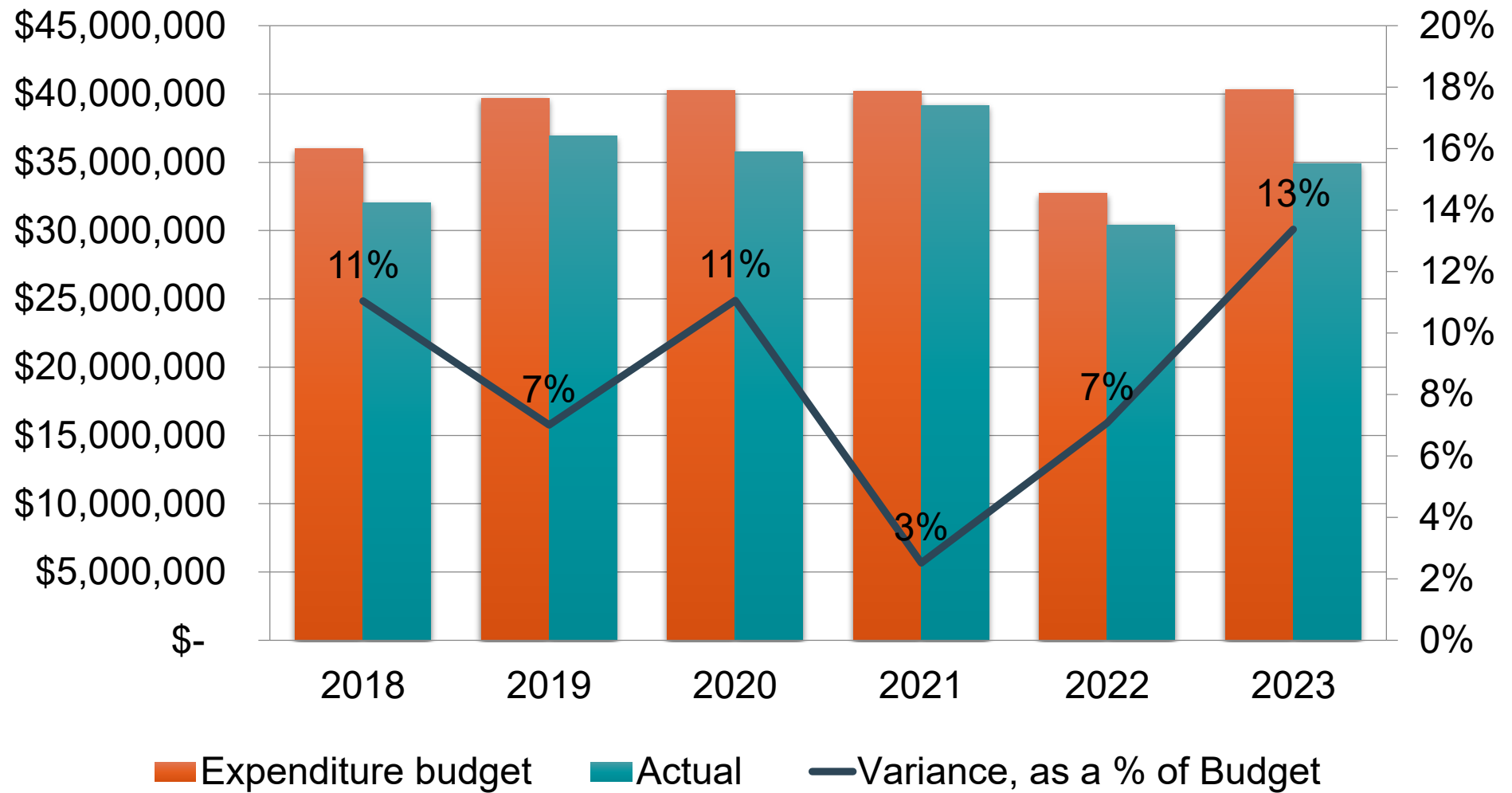




City of Birmingham

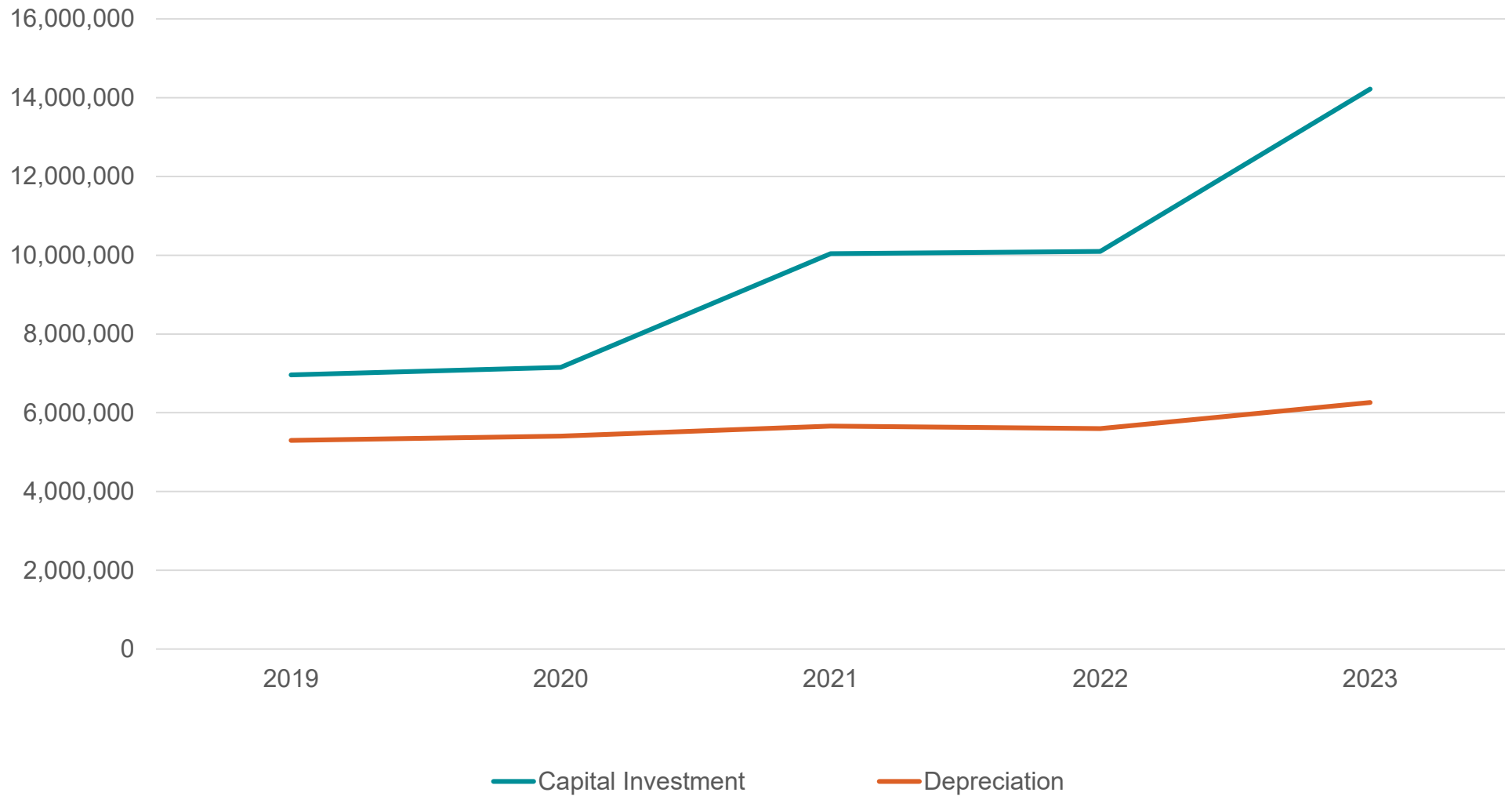
General Fund Favorable Budget Variance

Years Ended June 30



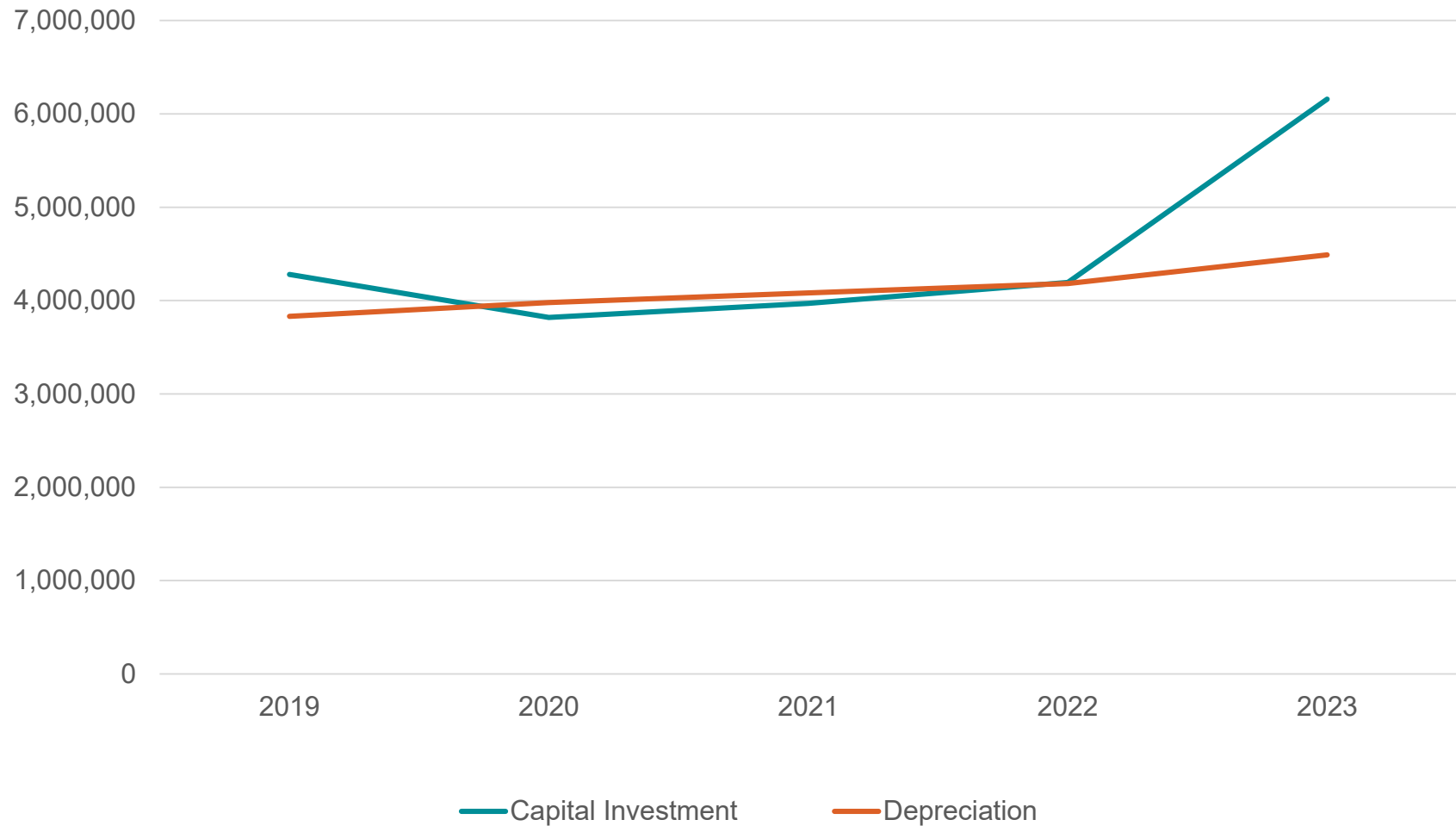


City of Birmingham Capital Investments – General Government



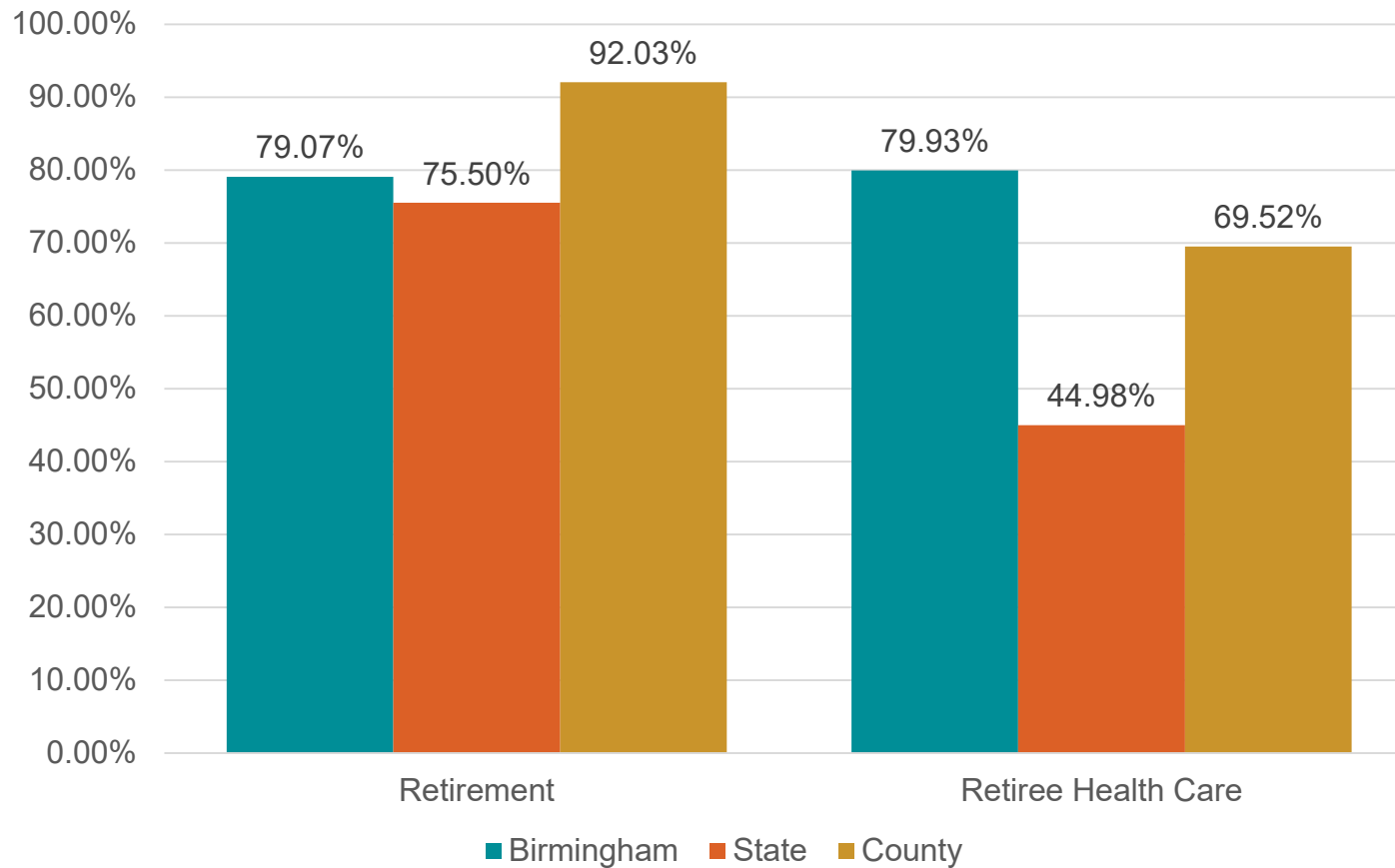


City of Birmingham Capital Investments – Enterprise Funds





City of Birmingham Pension and Retiree Healthcare Funding Comparisons Michigan Cities FY 2022 Data





City of Birmingham

Communication With Those Charged With Governance

- Report on Internal Control over Financial Reporting
 - Auditor Identified Journal Entries

- AU-C 260 Required Communication with Those Charged with Governance
 - Implementation of GASB 96, *Subscription-based IT Arrangements*
 - No transactions entered into for which there was a lack of authoritative guidance
 - No significant transactions recognized in a different period than when the transaction occurred
 - Management estimates included within the financial statements
 - Unbilled Water and Sewer Fund utility receivable
 - Self-insurance liability claims incurred but not reported
 - Actuarial assumptions
 - Pension
 - OPEB
 - No difficulties or disagreements with management in performing the audit

*Please see separate letters to Mayor and City Commission dated December 1, 2023 for more details.



Thank you for the opportunity to
serve as auditors for the City of
Birmingham



MEMORANDUM

City Manager's Office

DATE: December 14, 2023

TO: City Commission

FROM: Jana L. Ecker, City Manager

SUBJECT: Funding Agreement for the 48th District Court

INTRODUCTION:

In 2021, Bloomfield Hills withdrew from the funding agreement for the 48th District Court that had been in place since 1985 between the cities of Bloomfield Hills, Birmingham, and Bloomfield Township and W. Bloomfield Township. As a result, the remaining three funding units negotiated a new agreement, which allows any funding unit to opt out of the agreement at the end of January in each year, with all obligations under the agreement then ceasing at the end of the calendar year in which the notice is given. In January 2022, the City of Birmingham considered providing notice to the other funding units to opt out of the agreement at the end of 2022. The City Commission ultimately decided not to do so, and directed the City Manager to negotiate a more equitable funding agreement by January 2023 to avoid the City providing notice to opt out of the agreement. The City negotiated a revised funding agreement in December 2022 with the other four non-funding political subdivisions of Bloomfield Hills, Keego Harbor, Orchard Lake Village, and Sylvan Lake. However, the agreement is not finalized and approved by the parties.

BACKGROUND:

Over the course of spring and summer of 2022, numerous discussions and negotiations occurred between the remaining three funding units, and amongst all seven of the jurisdictions that comprise the 48th District Court.

On November 14, 2022, a City Commission Workshop was conducted on the topic of the 48th District Court, and the current funding agreement in place. During the discussion, City staff advised that Birmingham had previously requested clarification on the financial information provided by the court, but had not received a response, and that the group of seven communities has been attempting to have Judge Barron come to a meeting of the 48th District Court communities and discuss the court's proposed budget for 2023. However, Judge Barron spoke at the workshop as a Birmingham resident, and stated that he has received no such meeting requests, and has an open door policy. He specifically stated he would meet tomorrow if a community so requested. After attempting to arrange such a meeting for the past several months, a date was finally scheduled with Judge Barron for November 30, 2022.

After the November 14, 2022 City Commission meeting, City staff reached out to Judge Barron to set up a meeting to review the court's financial information, and to obtain responses to previous

clarification requests, as well as a detailed breakdown on the revenues and expenses allocated to each of the 7 communities of the 48th District Court. Judge Barron returned the phone call and indicated his availability in December. City staff reminded Judge Barron of his open door policy to meet with communities, and requested a meeting for the next day. After much discussion, Judge Barron agreed to speak with Court Administrator Dunn and Ms. Sriram from Finance, and later that day called to verify that a meeting had been set for Monday, November 21, 2022 at noon with Mr. Dunn, Ms. Sriram and himself to address our request for clarification on the breakdown and allocation of revenues and expenses of the court. Judge Barron requested City staff submit specific questions on the financial details in advance of the meeting.

At the November 14, 2022 City Commission workshop, commissioners requested a breakdown of court usage based on the percentage of caseloads for each of the 7 communities. The breakdown is as follows (using 2018, 2019 and 2021 for a 3 year average, excluding 2020):

Jurisdiction	Average % of Case Load (last 3 years, excluding 2020, draft 2021)
Birmingham	24%
Bloomfield Hills	10%
Bloomfield Township	34%
Keego Harbor	3.5%
Orchard Lake	6%
Sylvan Lake	2%
W. Bloomfield	20.5%

On November 18, 2022, City staff forwarded the financial questions as requested. On November 21, 2022, City staff arrived at the 48th District Court. Mr. Dunn appeared and advised that the meeting had been cancelled and that he had just called the City offices to cancel. City staff was told that Judge Barron was unavailable and that Ms. Sriram was working on providing the answers to the City's questions. City staff advised that Judge Barron had confirmed the meeting and the availability of court staff the prior week, and proceeded to discuss finances. Mr. Dunn was unable to provide any responses to the questions. City staff was advised that Ms. Sriram would provide answers to our written requests at a later date. City staff set another meeting with Judge Barron, Mr. Dunn and Ms. Sriram for November 29, 2022, to once again attempt to gain clarification on the breakdown and allocation of revenues and expenses of the court.

On November 29, 2022, City staff arrived at the 48th District Court and met with Ms. Sriram and Mr. Dunn. All of the requested financial information was provided by the court, and Ms. Sriram reviewed all financial details with City staff and answered any questions that arose. City staff advised that the 48th District Court's budget would be placed on the December 5, 2022 meeting of the Birmingham City Commission for review and discussion.

On November 30, 2022, representatives from all seven jurisdictions that make up the 48th District Court met at the courthouse. Mr. Dunn, Judge D'Agostini and Judge Barron presented the details of the court's budget request for the upcoming year. There was much discussion regarding the expenditures proposed, cost increases, sources of funding and related issues. Representatives from the seven jurisdictions questioned court staff on the proposed expenditures, and once again the issue came up regarding the long term funding of the 48th District Court. After approximately

one and a half hours of heated discussion, a verbal agreement was reached, in concept only. The conceptual agreement was that the four political subdivisions of Bloomfield Hills, Keego Harbor, Orchard Lake Village, and Sylvan Lake would agree to contribute their statutory ordered revenues to the funding of the court in years where the court's expenditures exceed revenues, to offset the additional costs to the current funding units of Birmingham, Bloomfield Township and W. Bloomfield Township. Given that the meeting was attended by the management staff and some elected officials for many of the jurisdictions, it was agreed in concept that Birmingham would prepare a draft memorandum of understanding for consideration by the four non-funding political subdivisions based on the conceptual agreement. It was then discussed that this could be executed by the political subdivisions and attached as an exhibit to an updated funding agreement between Birmingham, Bloomfield Township and W. Bloomfield Township, to ensure funding for the Court would remain in place without the need for costly litigation.

On December 5, 2022, Court Administrator Dunn appeared before the City Commission and presented the 48th District Court's proposed budget for 2023. The City Commission requested additional information from Mr. Dunn, and requested that the matter return to the City Commission at their December 19, 2022 meeting.

On December 19, 2022, Mr. Dunn again appeared before the City Commission to discuss the Court's proposed budget, and provided some additional information. Ultimately, the City Commission voted to approve the court's proposed budget, reserving the right to further discuss the funding of the Court in January 2023.

In December 2022, City staff prepared draft language consistent with the verbal agreement reached on November 30, 2022 at the Courthouse meeting of all jurisdictions. The draft language was distributed to representatives for all seven jurisdictions in December 2022 in order to obtain conceptual agreement from all jurisdictions. The understanding was that once all four political subdivisions respond that this is, in concept at least, what the jurisdictions coalesced around in November, Birmingham would prepare a complete draft of the agreement for legal review and potential approval from the elected bodies of Bloomfield Hills, Keego Harbor, Orchard Lake and Sylvan Lake.

Based on the positive response received from representatives of Bloomfield Hills, Keego Harbor and Orchard Lake, the attached draft Political Subdivision Distribution / Funding agreement was prepared and distributed to representatives from all 7 jurisdictions of the 48th District Court. Sylvan Lake had outlined several concerns in response to the draft agreement. City staff responded to each of the stated concerns, as shown in the attached email response. City staff conducted a lengthy telephone conference with the City Manager of Sylvan Lake, and ultimately came to an understanding on January 13, 2023.

The draft Political Subdivision / Funding agreement was to be considered for formal approval by Bloomfield Hills, Keego Harbor, Orchard Lake and Sylvan Lake, and the elected bodies in each jurisdiction were to consider approval of the agreement at a future meeting. The intention was to update the existing Funding agreement between Bloomfield Township, W. Bloomfield Township and the City of Birmingham to include the Political Subdivision / Funding agreement in an Addendum.

On November 15, 2023, City staff met with officials from Bloomfield Township, Judge D'Agostini, Judge Barron, Mr. Dunn and finance staff from the 48th District Court to discuss the court's 2024

budget, and to discuss the future of the funding agreement between the three remaining funding units. The parties discussed anticipated issues that may arise when the matter was considered for the upcoming year by the elected bodies of the funding units, and the projected case load volumes of each of the three funding units (see chart below). Birmingham's percentage of case load is up approximately 12% over the 2022 volume.

Funding Unit	Projected % of Case Load
Birmingham	40.56%
Bloomfield Township	25.78%
W. Bloomfield	33.66%

On December 4, 2023, Court Administrator Dunn appeared before the City Commission and presented the 48th District Court's proposed budget for 2024. The City Commission requested additional information from Mr. Dunn, and ultimately voted to approve the court's proposed budget.

LEGAL REVIEW:

Due to conflict of interest concerns related to the use of the same attorneys by several of the jurisdictions of the 48th District Court, all jurisdictions agreed to hire independent attorneys. Accordingly, City staff reached out to the Law Offices of Jeffrey Kragt in Rochester Hills to represent the interests of Birmingham. Mr. Kragt reviewed and approved both the Political Subdivision Distribution / Funding agreement and the Addendum to the existing funding agreement and had no concerns.

FISCAL IMPACT:

In years when the 48th District Court's total expenditures exceed total revenues, the proposed agreement establishes that the four political subdivisions agree to contribute their statutory revenues to the funding of the Court to offset the additional costs that will be allocated to the three funding units. This will thus reduce the amount the City pays to the court in years when the court's total expenditures exceed total revenues.

PUBLIC COMMUNICATIONS:

The funding issues related to the 48th District Court have been discussed in numerous public meetings over the past several years. Each year, the Court's proposed budget will continue to be reviewed and discussed by the City Commission.

SUMMARY:

A more equitable funding arrangement that ensures that the four political subdivisions contribute additional funds to the Court to offset expenses in years when the Court's total expenses exceed their total revenues was negotiated, thus reducing the amount to be paid by each of the three funding units. However, the proposed agreement was not approved by the four political subdivisions as anticipated.

ATTACHMENTS:

- Draft Political Subdivision Distribution / Funding Agreement
- Draft Addendum to the existing funding agreement (December 2021)
- Email response to concerns raised by Sylvan Lake

- Emails received in support of the Political Subdivision Distribution / Funding agreement, and its incorporation into the Funding agreement between the three remaining funding units

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to continue to participate in the current funding agreement with Bloomfield Township and West Bloomfield Township;

OR

Make a motion adopting a resolution to approve an Addendum to the existing funding agreement with Bloomfield Township and W. Bloomfield Township and to authorize the Mayor and City Clerk to sign the agreement on behalf of the City, subject to the approval of the Political Subdivision Distribution / Funding Agreement by all four political subdivisions;

OR

Make a motion adopting a resolution to provide notice in January 2024 that Birmingham intends to opt out of the current funding agreement with Bloomfield Township and W. Bloomfield Township.



MEMORANDUM

Planning Division

DATE: December 6, 2023

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Bistro Compliance Staff Report

On November 13, 2023 ([Agenda – Minutes](#)), the City Commission moved to discuss enforcement of the designs of bistros as approved. The perceived issue that was raised may be summarized as follows: when the City Commission approves a bistro, it is being approved based on a full analysis from the initial screening process all the way through to Special Land Use Permit and Site Plan review, which includes (but is not limited to) concept/cuisine, restaurant design, seating, exterior changes, and outdoor dining. How can the City enforce/monitor compliance with what was approved?

The process to obtain a bistro license in the City of Birmingham is outlined in [Chapter 10, Article 2, Division 4](#) of the Birmingham Code of Ordinances. There are two main tasks that an applicant for a bistro license must complete. First, the applicant must come before the City Commission for an initial bistro screening. During this screening, the City Commission reviews a 5-page document containing high-level information such as a description of the concept, type of cuisine offered, site plan/location details, and other pertinent information. Second, the applicant must apply and receive approval from the City Commission for a Special Land Use Permit. During this process, the schematic site and design plans are fully developed and the project is reviewed against all City codes and ordinances. As a part of the Special Land Use Permit process, the applicant is required to enter into a contract with the City to operate the bistro.

As stated in 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. Administrative approval for minor building exterior changes or site improvements may be permitted by the City Planner as provided in Section 7.25 and Section 7.14.”

In addition to the initial approval, all bistro's are subject to an annual liquor license renewal in which the City Commission reviews investigations performed by City Staff relating to six issues:

1. An inspection of the premises to determine whether the licensee is in compliance with all applicable city and state codes. All inspection reports for the prior 12-month period from the county health department shall be obtained for review by the city commission.
2. An inspection of the premises to determine that the licensee is in compliance with the license itself, its approved site plan and plan of operation as well as any conditions imposed by the city or the liquor control commission at the time of issuance or transfer of the license.
3. An inspection to determine the general condition of the licensed premises, both interior and exterior.
4. The city administration shall secure from each licensee an affidavit, on a form to be supplied by the city, stating the percentage of the licensee's gross income during the prior 12-month period from the sale of food and alcoholic beverages.
5. An inspection of the city's records to determine whether all taxes and other monies due the city are timely paid.
6. An inspection of police files or other sources of information to determine whether any activity in connection with the licensed premises is in violation of the law, disturbs the public peace and tranquility or contributes to the disruption of the normal activities of those in the neighborhood of the licensed premises.

At this time, the City Staff feels as though the language in Article 7, Section 7.37 referenced above, the Special Land Use Permit contracts, and the annual renewal procedure provide a consistent, strong and quality mechanism to review bistros for compliance with approved plans, up to and including the overall concept of the bistro.



MEMORANDUM

Building Department

DATE: December 13, 2023

TO: Jana L. Ecker, City Manager

FROM: Bruce Johnson, Building Official

SUBJECT: Sport Courts

At the October 16, 2023 Commission meeting, the topic of sport courts came up and after a brief discussion the Commission requested staff to prepare a report regarding them. The Commission asked approximately how many sport courts have been installed and what the applicable rules are for them are.

A number of sports courts have existed in the City for some time. An exact number of them is not known, but from using Google Aerial Maps, it appears that there are approximately 22. Similar to swimming pools they gained popularity during the pandemic and permits for them are on the rise. While the Zoning Ordinance does not have specific regulations for sport courts, they are an impervious surface that is limited in area by the Zoning Ordinance.

Any material that prevents the infiltration of surface water including driveways, sidewalks greater than 3-feet in width, swimming pools, patios and similar materials like sport courts are considered impervious surfaces under the Zoning Ordinance. The open space regulations require that 40 percent of a single family lot must remain as open space. Open space is all areas of a lot not covered by buildings, structures and impervious surfaces. As a rule of thumb, buildings and structures can cover 30-percent of a lot, impervious surfaces can occupy another 30-percent, which will leave 40-percent of the lot as open space. The Zoning Ordinance does a decent job limiting the maximum area of a sport court based on the area of the lot that must remain open. However, the Zoning Ordinance does not clearly specify standards for all setbacks, basketball hoop locations and netting in rear yards.

The Zoning Ordinance does not have setback provisions for impervious surfaces located in the rear yard. Driveways, patios and pool decks can extend up to the side and rear property lines. However, accessory structures located in the rear yard must be 3-feet from any property line and the department has consistently applied these setback standards to sport courts. The Zoning Ordinance does have specific regulations for basketball hoops when they are located in a front and side yard, but it is silent on where they can be located in the rear yard. We encourage applicants to install them facing inward towards their own property to help prevent errant

basketballs from landing in a neighbor's yard. Most applicants propose installing tall netting to further help contain sporting equipment to the court. While the ordinance does not specifically address netting, the department considers it a type of fence which is limited to 6-feet in height. In addition to the zoning review, sport courts are subject to a detailed drainage review by the Engineering Department to ensure surface water is properly managed.

To date the City has only received two code enforcement complaints regarding sport courts. The first was a few years ago about basketballs going over the fence into the neighbor's yard. The owner of the sport court resolved the issue by moving the hoop to another location away from the property line. The second is a recent complaint regarding the noise generated from kids using the sport court.



MEMORANDUM

Legal – City Attorney

DATE: December 12, 2023

TO: Jana L. Ecker, City Manager

FROM: Mary M. Kucharek, City Attorney

SUBJECT: Request for Closed Session Under MCL § 15.268 Sec. 8(e)

INTRODUCTION:

This matter concerns three (3) cases: 1) *John Reinhart, et al v City of Birmingham; U.S. District Court Case No.: 2:22-cv-11074-MAG-DRG*; 2) *The New 555 Commercial, LLC, The New 555 Residential, LLC, Manorwood Properties, LLC and Associates of 555, LP v City of Birmingham*, State of Michigan Department of Licensing & Regulatory Affairs, Michigan Administrative Hearing System, Michigan Tax Tribunal Docket No.: 22-000772-TT, Property Nos.: 08-19-36-210-001, 08-19-36-210-003, and 08-19-36-210-005, which was appealed to the Michigan Court of Appeals bearing Docket 364563, and currently appealed to the Michigan Supreme Court bearing Docket No.: 165973; and 3) new litigation entitled *Caroline Ashleigh, et al v City of Birmingham*, Oakland County Circuit Court Case No.: 23-202347-NZ.

BACKGROUND:

As the City Commission is aware, John Reinhart, Managing Partner of the 555 Building, has complained of the parking situation and changes to the SMART Bus route in connection with the Phase 3 Old Woodward Project. As a result, he is now claiming to be one (1) of three (3) plaintiffs alleging they are “handicapped,” and as a result has filed suit in the U.S. District Court. I am requesting a closed session on December 18, 2023, pursuant to MCL § 15.268 Sec. 8(e) to discuss pending litigation.

As the City Commission is further aware, New 555 Commercial, LLC complained of a special assessment made against its properties to the Michigan Tax Tribunal which placed the case in abeyance pending the outcome of Petitioner’s interlocutory appeal to the Michigan Court of Appeals. The Michigan Court of Appeals entered an Order on July 7, 2023 denying the application for leave to appeal for failure to persuade the Court for immediate appellate review, and the case has now been appealed to the Michigan Supreme Court.

The City was served with a Summons and Complaint on November 28, 2023 with a suit alleging various defects causing basement flooding. This suit has numerous defendants and is entitled *Caroline Ashleigh, et al v City of Birmingham*, Oakland County Circuit Court Case No.: 23-202347-NZ. The City must answer this Complaint by December 19, 2023. I am requesting closed session on December 18, 2023 pursuant to MCL § 15.268 Sec. 8(e) to discuss pending litigation.

FISCAL IMPACT:

To be discussed in closed session.

ATTACHMENTS:

Open Meetings Act (Excerpt) Act 267 of 1976, MCL § 15.268 Closed sessions; permissible purposes, Sec. 8(e).

RECOMMENDED RESOLUTION:

Adopt a resolution to meet in closed session to discuss pending litigation pursuant to MCL § 15.268 Sec. 8(e) of the Open Meetings Act regarding *John Reinhart, et al v City of Birmingham; U.S. District Court Case No.: 2:22-cv-11074-MAG-DRG*, and *The New 555 Commercial, LLC, The New 555 Residential, LLC, Manorwood Properties, LLC and Associates of 555, LP v City of Birmingham*, State of Michigan Department of Licensing & Regulatory Affairs, Michigan Administrative Hearing System, Michigan Tax Tribunal Docket No.: 22-000772-TT, Property Nos.: 08-19-36-210-001, 08-19-36-210-003, and 08-19-36-210-005, which was appealed to the Michigan Court of Appeals bearing Docket 364563, and currently appealed to the Michigan Supreme Court bearing Docket No.: 165973.

AND

Adopt a resolution to meet in closed session to discuss pending litigation pursuant to MCL § 15.268 Sec. 8(e) of the Open Meetings Act regarding *Caroline Ashleigh, et al v City of Birmingham*, Oakland County Circuit Court Case No.: 23-202347-NZ.

and the purpose or purposes for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken.

(2) A separate set of minutes shall be taken by the clerk or the designated secretary of the public body at the closed session. These minutes shall be retained by the clerk of the public body, are not available to the public, and shall only be disclosed if required by a civil action filed under section 10, 11, or 13. These minutes may be destroyed 1 year and 1 day after approval of the minutes of the regular meeting at which the closed session was approved.

History: 1976, Act 267, Eff. Mar. 31, 1977;—Am. 1993, Act 81, Eff. Apr. 1, 1994;—Am. 1996, Act 464, Imd. Eff. Dec. 26, 1996.

15.268 Closed sessions; permissible purposes; applicability to independent citizens redistricting commission.

Sec. 8. (1) Except as otherwise provided in subsection (2), a public body may meet in a closed session only for the following purposes:

(a) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named individual requests a closed hearing. An individual requesting a closed hearing may rescind the request at any time, in which case the matter at issue must be considered after the rescission only in open sessions.

(b) To consider the dismissal, suspension, or disciplining of a student if the public body is part of the school district, intermediate school district, or institution of higher education that the student is attending, and if the student or the student's parent or guardian requests a closed hearing.

(c) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.

(d) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

(e) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

(f) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, except as otherwise provided in this subdivision, all interviews by a public body for employment or appointment to a public office must be held in an open meeting pursuant to this act. This subdivision does not apply to a public office described in subdivision (j).

(g) Partisan caucuses of members of the state legislature.

(h) To consider material exempt from discussion or disclosure by state or federal statute.

(i) For a compliance conference conducted under section 16231 of the public health code, 1978 PA 368, MCL 333.16231, before a complaint is issued.

(j) In the process of searching for and selecting a president of an institution of higher education established under section 4, 5, or 6 of article VIII of the state constitution of 1963, to review the specific contents of an application, to conduct an interview with a candidate, or to discuss the specific qualifications of a candidate if the particular process of searching for and selecting a president of an institution of higher education meets all of the following requirements:

(i) The search committee in the process, appointed by the governing board, consists of at least 1 student of the institution, 1 faculty member of the institution, 1 administrator of the institution, 1 alumnus of the institution, and 1 representative of the general public. The search committee also may include 1 or more members of the governing board of the institution, but the number does not constitute a quorum of the governing board. However, the search committee must not be constituted in such a way that any 1 of the groups described in this subparagraph constitutes a majority of the search committee.

(ii) After the search committee recommends the 5 final candidates, the governing board does not take a vote on a final selection for the president until at least 30 days after the 5 final candidates have been publicly identified by the search committee.

(iii) The deliberations and vote of the governing board of the institution on selecting the president take place in an open session of the governing board.

(k) For a school board to consider security planning to address existing threats or prevent potential threats to the safety of the students and staff. As used in this subdivision, "school board" means any of the following:

(i) That term as defined in section 3 of the revised school code, 1976 PA 451, MCL 380.3.

(ii) An intermediate school board as that term is defined in section 4 of the revised school code, 1976 PA 451, MCL 380.4.

To: Brad Host & Jana Ecker

November 15, 2023

Cc: Other Commissioners, MMTB, Department Directors, Staff Members

Dear Brad & Jana,

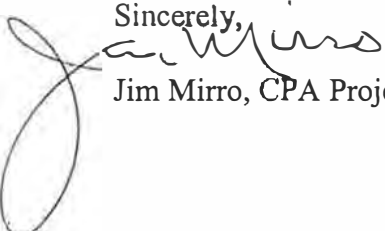
I want to thank both of you for the outstanding support that both of you have given to the Coryell Park Association of Arlington and Shirley property owners regarding the proposal to add sidewalks and to narrow our streets. As the Project Coordinator appointed by the officers of Coryell Park to this project, I have needed information for our 71 property owners to arrive at a position and to file an appropriate petition to the MMTB and to the Board of Commissioners that reflects their best interest and the best interest of the rest of the City. Toward this end, your cooperation has been invaluable.

Brad, the assistance you have provided truly exemplifies what “representative government” means to all the City’s residents. When we have asked questions about navigating the process with MMTB and the Board of Commissioners, you have been there to answer every question in an objective and unbiased manner. You have told us which other streets have gone through this process and who to talk to on those streets to obtain their opinion and what they would have done differently in retrospect. You have told us how to provide information and answers that are needed by the MMTB to arrive at their recommendation and to the Commissioners in arriving at their vote. You have always answered the phone when we have called. You are the perfect Commissioner and I think all of Birmingham knows this since you received the most votes of anyone running for office in this past election. Congratulations and keep up the good work.

Jana, the assistance you and your staff have provided has allowed us to analyze the data related to sidewalk benefits and disadvantages, street conditions, sewer/water main alternatives and street width benefits/disadvantages. When I asked your assistant, Ann, for a meeting with you on Monday, she said that you could meet with me a day earlier on Friday. And you asked all Department Directors to attend for an hour so that no question would go unanswered. When I had met earlier with your staff members and asked a question or for a presentation page from previous meetings, they stopped what they were doing and provided me with the best answer they had available at the time or emailed me the information/page the next day. You have a superbly responsive team of professionals which we citizens appreciate very much. Cherish each and every one of them.

Summary: I think that the secret to Birmingham’s success is allowing its citizens to talk with everyone involved in the process all along the way. This is not only “freedom of speech” enshrined in our Constitution, but the secret to making all government work well for the people it represents. Please know how much we, the citizens, appreciate your protection of this secret ingredient for the well being of our City and never, ever lose it.

Sincerely,


Jim Mirro, CPA Project Coordinator