

BIRMINGHAM CITY COMMISSION AGENDA

February 8, 2021

7:30 P.M.

VIRTUAL MEETING

MEETING ID: 655 079 760

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Pierre Boutros, 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.

Announcements

- The City Commission would like to wish Commissioner Nickita a happy birthday!
- Senator Mallory McMorrows Constituent Director Liz Trombley

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 approving the City Commission LRP meeting minutes of January 23, 2021.
- B. Resolution approving the City Commission meeting minutes of January 25, 2021.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated January 27, 2021, in the amount of \$1,753,893.79.
- D. Resolution approving the warrant list, including Automated Clearing House payments, dated February 3, 2021, in the amount of \$728,388.09.
- E. Resolution to set a public hearing date for March 8th, 2021 to consider the Special Land Use Permit, Final Site Plan and Design Review to allow the operation of the All Seasons 2 independent senior living facility at 219 Elm St.
- F. Resolution to award the Adams Park Design Consultant services to Michael J. Dul & Associates, Inc. in the amount not to exceed \$7,675.00. Funds are available in the Parks – Other Contractual Service account #101-751.000-811.0000 for this project. Further, to

authorize the Director of Public Services to sign the Professional Service proposal on behalf of the City upon receipt of the required insurance coverage.

- G. Resolution to approve the 2021 annual flower purchase from Croswell Greenhouse Inc. in the amount not to exceed \$19,649.60 and the 2022 annual flower purchase in the amount not to exceed \$19,972.75. Funds are available from the General Fund – Property Maintenance – Operating Supplies account #101-441.003-729.0000.
- H. Resolution to confirm the City Manager's authorization for the emergency expenditure related to the repair of vehicle #26 by J.B.DLCO Auto Repair Center & Multistate Transmissions for \$7,871.71 to be charged to the Auto Equipment account #641-441.006-933.0200, pursuant to Sec. 2-286 of the City Code.
- I. Resolution to approve a request from the Birmingham Shopping District to hold the 2021 Farmers Market season beginning Sunday, May 2, 2021 to October 31, 2021 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.
- J. Resolution to approve a request from the Birmingham Shopping District to hold the 2021 Day on the Town special event on Saturday, July 31, 2021. Approval is 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.
- K. Resolution to approve a special event permit as requested by the Birmingham Shopping District to hold the 2021 Movie Nights on Fridays, June 11, July 16, and August 13, 2021, with rain dates scheduled on Saturdays, June 12, July 17, and August 14, 2021. Approval is 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.
- L. Resolution setting Monday, February 22, 2021 at 7:30 PM to consider the renewal of all existing liquor licenses in the city.

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

- A. Public Hearing – 251 E. Merrill - Tappers
 - 1. Resolution to approve the Special Land Use Permit, Final Site Plan and Design Review to allow the operation of Tapper's Gold Exchange at 251 E. Merrill, suite 236.
- B. Public Hearing - 469-479 S. Old Woodward – Lot Combination
 - 1. Resolution to APPROVE the proposed lot combination of 469-479 S. Old Woodward, parcels 19-36-208-011 and 19-36-208-012.

- C. Resolution to accept the donation of the “Pyramid Earth” sculpture by Kegham Tazian and to approve the installation at Linden Park on the existing pad.

AND

To approve payment of \$2,000 in financial assistance from the Public Arts Board budget towards the construction of a granite base in partnership with the Cultural Council of Birmingham Bloomfield and the artist for the sculpture installation, to be charged to the Public Arts Board account #101-299-000-811-0000.

- D. Resolution authorizing the IT department to purchase an annual license and one-time onboarding fee from Bang the Table public engagement software for a total of \$14,900. This purchase should be charged to account #636-228.000-933.0700 and further to approve the appropriation and amendment to the fiscal year 2020-2021 Computer Equipment Fund budget as follows:

Revenues:

Appropriation from Net Position	636-000.000-400.0000	\$14,900
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Expenditures:

Connectivity	636-228.000-933.0700	\$14,900
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- E. Resolution to adopt the suggested workshop routines and conduct.
- F. Commission Discussion on items from prior meeting.
- G. 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.

VIII. REMOVED FROM CONSENT AGENDA
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IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
1. Notice to appoint – Parks and Recreation Board, Multi-Modal Transportation Board, Planning Board & Birmingham Area Cable Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions’ Reports and Agendas
- D. Legislation
- E. City Staff
1. Manager’s Report

INFORMATION ONLY

XI. ADJOURN

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](tel:(248)530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).

Birmingham City Commission
Long Range Planning Minutes
January 23, 2021
Virtual Meeting
8:30 A.M.
Meeting ID: 655 079 760
Video Link: <https://vimeo.com/392335194>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Pierre Boutros, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

Abrial Hauff, Deputy City Clerk, called the roll.

Present: Mayor Boutros (location: Birmingham, MI)
Mayor Pro Tem Longe (location: Birmingham, MI)
Commissioner Baller (location: Birmingham, MI)
Commissioner Hoff (location: Birmingham, MI)
Commissioner Host (location: Birmingham, MI)
Commissioner Nickita (location: Birmingham, MI)
Commissioner Sherman (arrived at 9:00 a.m.) (left at 2:20 p.m.) (location: Birmingham, MI)

Absent: None

Administration: City Manager Markus; Police Chief Mark Clemence, City Planner Cowan, Library Director Craft, City Attorney Currier, City Planner Dupuis, Planning Director Ecker, Communications Director Gamboa, Police Operations Commander Grewe, Deputy City Clerk Hauff, City Attorney Kucharek, Parks and Recreation Manager Laird, Museum Director Pielack, Consulting City Engineer Surhigh, Fire Chief Wells, DPS Director Wood

III. PUBLIC COMMENT

David Bloom shared a list of topics he wanted the City to address. Most of the topics were recently broached at other City meetings. The only two topics not recently raised at other City meetings were his concerns regarding the law firm currently representing the City and his concerns regarding current returns on the City's pension fund.

IV. DISCUSSION ITEMS

I. Finance

A. Five-Year Financial Forecast

Finance Director Gerber introduced the item.

Timothy St. Andrew from Plante Moran presented the item.

Commissioners Hoff, Host, and Baller asked questions.

FD Gerber explained:

- The CDGB funds were included in with the other federal funds;

- The project infrastructure cost for E. Lincoln to Humphrey went up due to increasing construction costs and the project was delayed because the City could not afford to undertake it last year;
- FY 2023-2024 for local streets includes money for repairs of two streets, cape sealing projects, and \$500,000 for not yet scheduled street improvements;
- FY 2021-2022 and 2022-2023 also include \$500,000 each for not yet scheduled street improvements;
- State shared revenue will be approximately the same amount as in years past;
- Capital spending projects for sewers is lower towards the end of the projection only because projects have not yet been scheduled; and,
- Having about \$5 million each in unrestricted net positions for the water and sewer funds is appropriate. Those amounts will decrease as more projects are scheduled.

Public Comment

Mr. Bloom said only residents, and not developers, should benefit from subsidized building permit fees and inspection fees.

II. Public Services

DPS Director Wood introduced this section of the agenda.

A. Parks & Recreation Bond Timeline

Parks and Rec Manager Laird reviewed the item.

Commissioner Baller and Mayor Boutros spoke in favor of expediting the plans for the pickleball court to be done in Spring 2021 if at all possible. Commissioner Baller suggested that if the permanent court could not be completed by then that a temporary one be installed in Spring 2021 until the permanent one is available in Spring 2022. Mayor Boutros stated residents are so enthusiastic about pickleball that the City might also want to partner with an operator of a local indoor tennis court during the winter months to make year-round pickleball available.

Commissioners Hoff and Nickita asked why the Rouge River Trail was so low on the priority list, and said they would like to see it moved up given the amount of planning and discussion that has occurred regarding the project.

Commissioner Hoff said she was confident in the Parks and Recreation Board but said they are also relatively new. She said she was concerned that they may not be aware of the previous park concept plans that have been developed, such as the one for Kenning, but not yet implemented. She also asked why the Commission has not reviewed or made suggestions for the priority list.

Commissioner Nickita recalled that there had been a subcommittee that studied options for Booth Park. He recommended that any future plans on Booth Park take that subcommittee's work into account. He said he was also in favor of developing Booth Park Corner since it serves as a trailhead.

Public Comment

Mr. Bloom offered feedback regarding the Ice Arena and Booth Park. He said he agreed with Commissioners Nickita and Hoff regarding the Rouge River Trail.

B. Ice Arena Financial Forecast

Robert Stempien from Plante Moran Cresa reviewed the item.

Commissioner Sherman observed that the \$2 million for Ice Arena repairs already allotted by the City budget would yield the estimated \$300,000/month reductions in utility costs. He noted that the additional \$3.1 million for additional updates being requested from the bond money was not being projected to bring in any further cost reductions or revenue.

Commissioners Nickita and Sherman said they were still concerned about the proposed \$3.1 million expenditure.

Commissioner Baller reminded those present that the Commission has an upcoming workshop to discuss the Ice Arena and recommended this discussion be saved for that workshop.

Public Comment

Mr. Bloom suggested options for increasing revenue for the Ice Arena.

C. Lead Water Line Testing Program

DPS Director Wood reviewed the item.

Public Comment

Mr. Bloom said he would like to know how many properties still have undefined water service.

III. Engineering

A. Lead Water Line Replacement Program

Consulting City Engineer Surhigh introduced the item. He also told Mr. Bloom that the City is in the process of updating its information regarding homes with undefined water service.

Mike McDonald of Hubbell, Roth & Clark, Inc. reviewed the item.

Commissioner Host thanked DPS, Engineering, and Mr. McDonald for their proactive work on this item.

FD Gerber stated that the funds for this program are allocated to the operations and maintenance cost in the water fund in the City's budget.

Mr. McDonald stated:

- Michigan requires municipalities to replace all lead water lines between the water main and the water meter;
- The process takes about three hours per affected home; and,
- With a \$5,000 average replacement cost for homes, the costs can range from about \$3,500 to \$6,500.

Public Comment

Mr. Bloom asked if there was a way to do these replacements either with City employees or with a less costly contractor.

B. Backyard Sewer Lining Program

Consulting City Engineer Surhigh presented the item.

City Attorney Currier reviewed the current issues regarding not receiving easements from some property owners for this work. He stated that there are a few other ways to address the issue, including possible accommodation proceedings or condemnation of parts of the properties in

question. He noted the City has not wanted to pursue either of those options up to this point due to concerns regarding cost and/or resulting animosity between the property owners in question and the City. He said those options would be brought before the Commission for its consideration at a future date.

C. Major Streets, Unimproved Streets Planning, and Infrastructure Scoring Program

Consulting City Engineer Surhigh reviewed these items together per the Mayor's request.

Commissioner Baller asked Consulting City Engineer Surhigh to make a spreadsheet publicly available that will contain all of the infrastructure scores listed by year so that residents can keep track of the scoring changes.

Commissioner Hoff said she was pleased with a number of the planned updates to major streets.

Commissioner Host said he would like underground lighting to be included in the infrastructure improvements.

Consulting City Engineer Surhigh said Engineering could ask the Police Department if there are areas with particularly heightened public safety concerns in regards to lighting, and could factor that information into the infrastructure improvement process.

CM Markus cautioned that adding additional infrastructure requirements, such as underground lighting and sidewalks, to this current set of planned updates will complicate the process of getting the improvements done.

Mayor Pro Tem Longe asked that all of the slideshows used during the present meeting be made available to the public for their review.

Consulting City Engineer Surhigh confirmed that the lead service line replacement data will be included in the infrastructure scoring process.

Commissioner Nickita said he was in favor of adding sidewalks where there are none present and improving sidewalks where appropriate in order to meet the goal of having complete streets.

There was Commission consensus that the S. Old Woodward project should be ready to bid by Fall 2021 with the physical work to start as soon as appropriate in Spring 2022.

Consulting City Engineer Surhigh said that could be done.

Public Comment

In reply to Dominic Polis, Consulting City Engineer Surhigh said the physical work on street improvements could start as early as 2022.

Pam Graham said unimproved streets with cold patches resulting from lead water line replacements should be ranked higher on the infrastructure priority list because the cold patches are unlikely to be very durable.

Consulting City Engineer Surhigh told Ms. Graham that permanent pavement patches will be put over all cold patches stemming from lead water line replacements on a rolling basis.

Mr. Bloom reiterated his comment from a previous Commission meeting suggesting that these projects could be bonded and put out for bidding to potentially complete the work quicker and at less cost.

IV. Planning

A. 2040 Master Plan Update

PD Ecker reviewed the item.

Commissioner Host noted that the majority of residents that spoke at the January 13, 2021 Planning Board meeting expressed concern regarding the master plan draft proposals of creating more affordable housing along seams, increasing residential density in some areas, and allowing accessory dwelling units in certain areas.

In reply to Commissioner Hoff, PD Ecker stated that based on resident feedback and concerns the Planning Board recommended to the master planning team that seems only be proposed for a select few areas and that increased residential density be focused in currently mixed use areas.

Public Comment

Mr. Bloom said residents need more opportunity to discuss the neighborhood proposals in the master draft plan. He said he was also in favor of creative approaches to promoting aging-in-place.

Erica Grey said she is not in favor of the seam proposal.

B. Multi-Modal Initiatives, Lot Combinations, and Green Infrastructure

The Planning Department reviewed these items together per the Mayor's request.

PD Ecker reviewed Multi-Modal Initiatives, CP Cowan reviewed Lot Combinations, and CP Dupuis reviewed Green Infrastructure.

Three Commissioners and the Mayor commented that the City must do whatever work is necessary to clarify its policy on lot combinations. They agreed that there should be no grey area in the policy. Commissioner Nickita noted that factors like the character, rhythm, and pattern of a given neighborhood can be defined and that the policy should make clear how those factors affect lot combinations. Mayor Boutros said the policy should be clear enough that most lot combinations could be granted or denied administratively. He said lot combinations coming before the Commission should be the exception.

Commissioners Hoff, Nickita and Baller spoke in favor of green infrastructure proposals. Commissioner Baller recommended that the Commission hold a workshop on green infrastructure possibilities, saying it might be possible for the Commission to approve the City's use of a number of those options. He also said further green infrastructure in the City is an opportunity to develop leadership in the region.

Commissioner Nickita said incentivizing LEED certification is good but mandating it should be considered with caution since there are some non-LEED approaches that can be even more sustainable. He said he wants to see green infrastructure integrated into the S. Old Woodward updates. He recommended that adaptive reuse should be given more attention in the green infrastructure plan, stating that the greenest building is the one that is already built.

Commissioner Baller commended CP Dupuis on his leadership in the green infrastructure work.

Commissioner Nickita commended PD Ecker on her work regarding multi-modal initiatives. He said he was in full support of trainings for the members of the Multi-Modal Transportation Board. He added that the City should budget funds to purchase each MMTB member the National Association of City Transportation Officials Urban Street Design Guide and the Institute of Transportation Engineers' Designing Walkable Urban Thoroughfares: A Context Sensitive Approach so that they had reference materials available, in addition to their trainings, when reviewing projects and proposals.

V. Lunch Recess

The meeting was paused for a ten minute lunch recess.

VI. Birmingham Shopping District

A. Downtown Retail Attraction Program

Jeff Hockman, Chair of the BSD Board, reviewed the item.

In reply to Commissioner Host, Mr. Hockman said that while some commercial landlords in Birmingham have raised their rates during the pandemic, the BSD Board has been working to impart to them that it is most essential to maintain occupancy. He said the BSD Board is working to educate them on the local and national circumstances and how to keep tenants.

In reply to Commissioner Hoff, Mr. Hockman confirmed that the BSD Board is involved in replacing the BSD Executive Director.

In reply to Commissioner Baller, Mr. Hockman stated that monies previously in emergency reserves and monies allocated for special events were reallocated over the past year to increase the BSD's marketing abilities in light of the pandemic.

Mr. Hockman thanked the Commission for their support of City businesses and stated he was glad to be working with them and City businesses for the good of the Birmingham community as a whole.

VII. Fire Department

A. ISO Review and Enhancements

Fire Chief Wells reviewed the item. He explained that the best way for Birmingham to maintain or potentially improve its ISO fire score is for commercial properties to follow the fire code. He explained that when there is more adherence to the code fewer repeat inspections need to be done. When there are fewer repeat inspections more one-time inspections can be completed, and that helps Birmingham maintain or even potentially lower its rating.

Commissioner Host thanked FC Wells for trying to get the state to allow the Birmingham FD to administer Covid-19 vaccines, on getting new FD inspectors, and on getting a new ambulance.

Public Comment

Cindy Rose thanked FC Wells for trying to get the state to allow the Birmingham FD to administer Covid-19 vaccines.

FC Wells told Mr. Bloom that the City currently holds the best ISO fire score it has had, which is a 3.

VIII. Police Department

- A. Mental Health Co-Responder Response Program
- B. Crisis Intervention Training
- C. Accreditation Program
- D. Parking System Initiatives
- E. ADA Upgrade Program

Police Chief Mark Clemence reviewed the first three items together per the Mayor's request.

Police Operations Commander Grewe reviewed the following two items together per the Mayor's request.

Mayor Pro Tem Longe thanked PC Clemence for his proactivity regarding the co-responder response program and the crisis intervention training. She noted that many times callers with mental health or substance use issues are repeat callers of emergency services, and that the co-responder response program could help them get access to the underlying resources they need.

In reply to Commissioner Host, PC Clemence said Oakland County Health Network has applied for grants to fund the mental health co-responder response program. He said that if the PD hopes to begin the program before the grants come through he will come to the Commission with a request. As far as the crisis intervention training, he said OCHN will give Birmingham PD a discount on the training since they are working together on the co-responder program. He said the hope would be to get a certain number of officers trained from the Auburn Hills, Bloomfield Twp. and Birmingham Police Departments, at which point officers from those departments enthusiastic about the training could offer further training to otherwise untrained officers at a more affordable rate.

Commissioner Host thanked the Police Department, and asked them to work on noise issues on Woodward and the main thoroughfares.

IX. Building Department

- A. Expanding Online Services

Building Official Johnson reviewed the item.

Commissioner Nickita said he had used the online system recently and that it was very user-friendly.

X. Library

- A. Building Renovations - Phase 3 Plan

Library Director Craft reviewed the item.

Commissioners Host and Hoff commended everyone involved in the designs for the new work on the library, saying that it very much enhanced the building. Both Commissioners also commended LD Craft on her presentation.

Public Comment

Mr. Bloom suggested the City consider spending some of the Parks and Recreation Bond funds on the outdoor area of the library since it serves as a transitional space between the library and downtown.

XI. Birmingham Museum

- A. Strategic Plan Update

Museum Director Pielack reviewed the item.

In response to Commissioner Host's inquiries, Museum Director Pielack stated that GIS and GPR are separate projects for Greenwood Cemetery and that an onsite event in the future will be used to generate enthusiasm and fundraise for some of the proposed enhancements.

Commissioner Hoff complimented the plans for the Museum. She said for Greenwood Cemetery the two priorities should be reclamation and GPR. Noting Cheri Arcome's December 2020 statement before the Commission that GPR had been conducted at Greenwood, Commissioner Hoff observed that the Commission had yet to receive a report on those GPR findings. She said she would like more information on what graves may be available outside of sections A-C in order to avoid putting additional new graves in the historic areas.

Commissioner Nickita said the City should consider installing more outdoor seating on the grounds of the Museum to encourage use and activate the space.

XII. Manager's Office

- A. Communications Updates
 - a. City-wide email service
 - b. New City website

Communications Director Gamboa reviewed the item.

Commissioner Baller said he was glad to meet CD Gamboa and thanked her for her presentation.

V. ADJOURN

Mayor Boutros adjourned the meeting at 2:45 p.m.

Birmingham City Commission Minutes

January 25, 2021

7:30 P.M.

Virtual Meeting

Meeting ID: 655 079 760

Vimeo Link: <https://vimeo.com/event/3470/videos/499487329/>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Pierre Boutros, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

Alexandra Bingham, City Clerk, called the roll.

Present: Mayor Boutros (location: Birmingham, MI)
Mayor Pro Tem Longe (location: Birmingham, MI)
Commissioner Baller (location: Birmingham, MI)
Commissioner Hoff (location: Birmingham, MI)
Commissioner Host (location: Birmingham, MI)
Commissioner Nickita (location: Birmingham, MI)
Commissioner Sherman (location: Birmingham, MI)

Absent: None

Administration: City Manager Markus, City Clerk Bingham, City Planner Cowan, City Attorney Currier,
Planning Director Ecker, Police Operations Commander Grewe, Interim Human Resources
Director/Assistant City Manager Hock, City Attorney Kucharek, Fire Chief Wells

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

Announcements

- The City Commission would like to congratulate Doug Koschik on his retirement and thank him for 30 years of service to the City.

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.

01-010-21 Consent Agenda

The following item was pulled from the Consent Agenda:

Commissioner Hoff: Item A – City Commission Minutes of January 11, 2021

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Hoff:
To approve the Consent Agenda with the exception of Item A.

ROLL CALL VOTE: Ayes, Commissioner Sherman
 Commissioner Hoff
 Commissioner Host
 Commissioner Nickita
 Mayor Boutros
 Mayor Pro-Tem Longe
 Commissioner Baller

Nays, None

- B. Resolution approving the warrant list, including Automated Clearing House payments, dated January 13, 2021, in the amount of \$6,902,069.88.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated January 20, 2021, in the amount of \$1,403,493.75.
- D. Resolution to set February 22, 2021 as the public hearing date for the Program Year 2021 Community Development Block Grant Program.

01-011-21 (Item A) City Commission Minutes of January 11, 2021

Commissioner Hoff noted a sentence was erroneously duplicated in the minutes. The sentence read “Commissioner Hoff complemented CP Dupuis’ letter to residents.” She said the sentence should remain on page five and should be struck from page ten.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Sherman:
To approve the City Commission meeting minutes of January 11, 2021.

ROLL CALL VOTE: Ayes, Commissioner Hoff
 Commissioner Sherman
 Commissioner Host
 Commissioner Nickita
 Mayor Boutros
 Mayor Pro-Tem Longe
 Commissioner Baller

Nays, None

VI. UNFINISHED BUSINESS

01-012-21 Greenwood Cemetery Grave Release

City Clerk Bingham reviewed the item.

Commissioner Hoff spoke in favor of determining whether originally plotted but unused graves in sections D-M might be available for reclamation. She expressed concerns that the continued addition of graves to sections B and C was having a congestive effect on the historic nature of the sections and landscaping and beautification efforts.

Commissioner Host concurred with Commissioner Hoff's that the City should determine what graves might still be available in sections D-M and then proceed accordingly.

MOTION: Motion by Commissioner Host, seconded by Mayor Pro Tem Longe:
To authorize the release of 14 plots available in Section C, Row 18-A for sale in Greenwood Cemetery. Furthermore the City Commission directs the Greenwood Cemetery Advisory Board to evaluate the grave site pricing and return with recommended changes prior to any further release.

Public Comment

In reply to Andrew Haig, City Clerk Bingham confirmed that Greenwood Cemetery can accommodate up to three cremated remains in one grave plot and smaller numbers of cremated remains in smaller or more irregularly-shaped grave plots.

ROLL CALL VOTE: Ayes, Commissioner Host
Mayor Pro-Tem Longe
Commissioner Hoff
Commissioner Sherman
Commissioner Nickita
Mayor Boutros
Commissioner Baller

Nays, None

01-013-21 Parking at the Pearl

City Planner Cowan summarized the item.

After Commission discussion the majority of the Commissioners agreed that the five parking spaces abutting The Pearl should be counted towards the required parking spaces.

There was some discussion as to whether there would be a way to limit the counting of those parking spaces to the current retail tenants, so that if the current tenants were to leave it would force The Pearl to either rent to less parking-intensive tenants or to appear again before the Commission for the counting of those spaces to continue. The conclusion was that there might be a way to do that but that the City's current ordinances are not set up for it.

As in the last discussion of this topic, the possibility of a shared parking agreement between the retail and residential uses of the building came up. Commissioner Hoff observed that the on-site parking had an excess of spaces currently designated for residential use.

It was explained that if the owner were to pursue a shared parking agreement they would have to conduct parking studies based on the use. It would also require a review by the Planning Board.

Commissioner Sherman said he would like the City to reconsider how it counts parking spaces towards

parking requirements - if spaces counted towards commercial requirements are actually inaccessible to commercial users, for instance, they should not be counted.

Mayor Boutros said allowing the spaces to be counted in this case would benefit the Birmingham community.

Commissioner Host agreed with Mayor Boutros, saying he just wanted the counting of the spaces towards the parking requirements to be temporary in some way or contingent on the current retail lessees.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Hoff:
To approve the use of five parking spaces in the right-of-way adjacent to the property located at 856 N. Old Woodward to fulfill the parking requirements per Article 4, section 4.43 (G)(4) of the Zoning Ordinance.

Commissioner Baller said he would like to require the landlord to post signage directing retail customers to park inside the building before using the spaces on the street. He said he would be amenable to the signage being administratively approved. He asked if some of the residential parking could be used for commercial until the residential units were fully rented, and was told by Rick Rattner, attorney for the applicant, that the building is already nearing full occupancy.

Commissioner Host, Commissioner Hoff, and Mayor Pro Tem Longe agreed that it would be positive if the landlord posted signage encouraging customers to park inside the building before using the on-street parking.

Since the building still maintains some commercial parking spaces inside, Commissioner Baller said his support for the motion would be contingent on requiring the signage in order to encourage customers to park inside first.

Mr. Rattner asked that the one accessible parking space abutting the building be converted to a non-accessible space like the other five, since there are two accessible parking spaces for commercial use inside the building. This would result in a total of six on-street parking spaces being counted towards the requirements.

Public Comment

Mr. Bloom concurred with Commissioner Host's comments, saying it would also help protect other businesses whose customers might want to use the on-street parking spaces.

ROLL CALL VOTE: Ayes, Commissioner Sherman
Commissioner Hoff
Commissioner Host
Commissioner Nickita
Mayor Pro-Tem Longe
Mayor Boutros

Nays, Commissioner Baller

01-014-21 Lot Combination - 34350 Woodward And 907-911 Haynes

City Planner Cowan reviewed the item.

After Commission discussion, there was consensus that CM Markus should continue to meet with the applicant to see if any compromise might be reached.

City Manager Markus said he would be most comfortable with a contract more similar to the one the City has with Walgreens. He said that while the document provided by the applicant in this case has some similarities to the Walgreens contract, it has too many add-ons he would be unlikely to move forward on. He said he was willing to continue conversations with the applicant. He said that he was also comfortable with rescheduling this matter to the Commission's March 22, 2021 meeting as long as City staff was afforded the flexibility to further postpone the conversation if appropriate.

Jason Canvasser, attorney for the applicant, emphasized that the document the Commission reviewed was meant to be a starting point for dialogue and not a proposed contract in full. He said Fred Lavery, the applicant, was interested in having further discussion about any of the aspects laid out in the document. Mr. Lavery confirmed this was the case.

Commissioner Baller opined that it was somewhat inflexible of the City to insist on businesses following the Plan for this area when the City has not moved forward on substantial aspects of the area Plan in over a decade. He said the City has to determine, especially in a pandemic-impacted economic climate that presents more challenges to all businesses, whether it wants to put in the effort to retain this business and then proceed accordingly.

Commissioner concerns regarding the proposal included:

- Whether the proposed land swap could be considered a sale, and if so, if it would be for a high enough value that it would require going to the residents to a vote for approval;
- The request that the City pay to remove all utilities from the Elm St. triangle in a swap;
- How the applicant would use the Elm St. triangle;
- How conducting the applicant-proposed land swap would affect the safety of the intersection at Bowers;
- How conducting the applicant-proposed land swap would affect businesses north of the intersection with frontage;
- The applicant's goal being a mixed-use, multi-level development on the land gained in the swap in ten years is not the same thing as a guarantee that would occur;
- That the City has a Plan for this area and zoning requirements and that those cannot just be set aside;
- That a surface parking lot is antithetical to the Plans for this area; and,
- The Commission being asked to weigh in on this applicant-proposal before the Planning Board and any other relevant boards had the opportunity for review.

Mr. Canvasser said the proposed land swap would create better long-term circumstances for Triangle Plan-aligned development. He said his letter to the Commission dated December 17, 2020 laid out in detail how that was the case.

Public Comment

In reply to Andrew Haig, CP Cowan confirmed that the plans would have to be checked with Oakland County and MDOT because they would potentially impact Woodward.

At 9:07 p.m. the Mayor opened the public hearing.

At 9:09 p.m. the Mayor closed to public hearing.

MOTION: Motion by Commissioner Host, seconded by Commissioner Nickita:
To postpone the proposed lot combination hearing to March 22, 2021 and to direct City staff and the City Attorney to continue negotiations with the applicant based on the issues noted and to return with detailed plans on any property to be conveyed, including details and estimated costs to remove or reroute any utilities, specific dimensions of the parcel proposed as a result of the lot combination, and any other details needed to evaluate the terms and conditions offered by the applicant.

ROLL CALL VOTE: Ayes, Commissioner Host
Commissioner Nickita
Mayor Pro-Tem Longe
Commissioner Hoff
Commissioner Sherman
Mayor Boutros
Commissioner Baller

Nays, None

VII. NEW BUSINESS

01-015-21 BFFA Local 911 Collective Bargaining Agreement

Interim Human Resources Director/Assistant City Manager Hock reviewed the item.

Commissioner Hoff said she appreciated how the changes for the following contract to be discussed, with the AFSCME Local 998, were marked in red. She asked that the practice be used for contract changes in the future.

Interim Human Resources Director/Assistant City Manager Hock said he would continue with that practice.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Host:
To approve the Settlement Agreement of December 21, 2020 between the City of Birmingham and BFFA Local 911 for a renewal of the collective bargaining agreement for a term of July 1, 2020 through June 30, 2023, and to authorize staff to execute a collective bargaining agreement consistent with its terms and conditions. Further, to authorize the transfer of the appropriate funds by the Finance Department for these expenditures.

Commissioner Sherman commended all involved parties for getting to agreement without arbitration and said he hopes the trend continues.

ROLL CALL VOTE: Ayes, Commissioner Sherman
Commissioner Host
Commissioner Nickita
Mayor Pro-Tem Longe
Commissioner Hoff
Mayor Boutros
Commissioner Baller

Nays, None

01-016-21

AFSCME Local 998 Collective Bargaining Agreement

Interim Human Resources Director/Assistant City Manager Hock reviewed the item.

MOTION:

Motion by Commissioner Hoff, seconded by Mayor Pro Tem Longe:

To approve the Settlement Agreement of December 23, 2020 between the City of Birmingham and AFSCME Local 998 for a renewal of the collective bargaining agreement for a term of July 1, 2020 through June 30, 2023, and to authorize staff to execute a collective bargaining agreement consistent with its terms and conditions. Further, to authorize the transfer of the appropriate funds by the Finance Department for these expenditures.

ROLL CALL VOTE: Ayes, Commissioner Sherman
 Commissioner Host
 Commissioner Nickita
 Mayor Pro-Tem Longe
 Commissioner Hoff
 Mayor Boutros
 Commissioner Baller

Nays, None

01-017-21

Corrected Employment Agreement for Thomas M. Markus

City Attorney Currier reviewed the item.

Commissioner Sherman recommended that the corrected agreement be amended and restated and that under Recitals it be made clear that it is replacing the current agreement.

City Attorney Currier agreed.

Commissioner Sherman then asked for clarification regarding pargé four under Retirement.

CM Markus said he would vest, and that the following could be removed from the corrected agreement: "In the event the Employee has not vested in the employee and employer contributions at the end of the Employee's 2-1/2 years of employment, the City shall make an equivalent employer contribution to the ICMA deferred compensation pension plan (see Paragraph 5.B(ii)), on behalf of the Employee."

MOTION:

Motion by Commissioner Sherman, seconded by Commissioner Nickita:

To approve the corrected Employment Agreement for Thomas M. Markus and authorize the Mayor and Clerk to sign on behalf of the City.

ROLL CALL VOTE: Ayes, Commissioner Sherman
 Commissioner Nickita
 Commissioner Host
 Mayor Pro-Tem Longe
 Commissioner Hoff
 Mayor Boutros
 Commissioner Baller

Nays, None

01-018-21 Celebrate Birmingham Parade

City Clerk Bingham presented the item.

Commissioner Hoff told City Clerk Bingham that the Celebrate Birmingham Parade and the volunteer appreciation are two entirely distinct events. She said she would be happy to fill City Clerk Bingham in on the traditional differences between the events.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:
To approve the request from the Birmingham City Clerk's Office to create a virtual method of celebration and recognition to take place of the traditional Celebrate Birmingham Parade and Party for 2021 and to direct the City Clerk's office to create and distribute of a video, thank you letters and token of appreciation to all board and commission members on May 16, 2021, further pursuant to any minor modifications that may be deemed necessary by administrative staff.

ROLL CALL VOTE: Ayes, Commissioner Sherman
 Commissioner Nickita
 Commissioner Host
 Mayor Pro-Tem Longe
 Commissioner Hoff
 Mayor Boutros
 Commissioner Baller

Nays, None

01-019-21 Commission Workshops

City Clerk Bingham presented the item.

There was consensus that if the workshops started at 6 p.m. on meeting nights that the Commission meetings should stop at 10 p.m. The goal would be to have a lighter regular meeting agenda for those nights.

In response to a suggestion from Mayor Pro Tem Longe, the majority of the Commission also agreed that a motion could be used on workshop/meeting nights to extend the meeting by 15 minute increments past 10 p.m. if absolutely necessary, as is the practice of the Planning Board when a meeting continues until 11 p.m.

Commissioner Host said he was not in favor of a time limit.

Commissioner Hoff suggested that the Parks Bond be the first workshop.

Commissioner Baller said he was in favor of the Ice Arena being the first workshop.

Mayor Boutros said that he would be in favor of a required end time of 11 p.m. for all Commission meetings with the option of postponing items to the next meeting as necessary or extending the meeting in 15 minute increments by motion per Mayor Pro Tem Longe's suggestion.

Mayor Pro Tem Longe explained that the Parks and Recreation priority list was developed in 2019

and was presented to voters in materials on the bond vote. She said the information was communicated to, and well known by, residents.

Commissioner Hoff expressed concern regarding the potential of not getting through City business on workshop nights.

Public Comment

Mr. Bloom and Mr. Haig both spoke in favor of there being a short break during Commission meetings, commenting that the work the Commission does is very difficult.

Mr. Bloom expressed concern about a hard stop in case petitioners are present for an item that would end up being heard after 10 p.m.

Mr. Haig recommended that petitioners also be encouraged to stick to a shorter time limit for their presentations.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:
To direct the City Manager and City Clerk to work with staff to prepare for the suggested workshops
AND
To direct the City Clerk to continue to maintain a list of desired workshops by the Commission
AND
To direct the City Clerk to coordinate with the Commission, City Manager and City Staff to schedule and notice future workshops as needed.

ROLL CALL VOTE: Ayes, Commissioner Sherman
Commissioner Nickita
Mayor Pro-Tem Longe
Commissioner Hoff
Mayor Boutros
Commissioner Baller

Nays, Commissioner Host

Commission Discussion on items from prior meetings.

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.

01-020-21 Closed Session

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Nickita:
To meet in closed session to discuss a written Attorney Client Privilege Communication pursuant to Section 15.3268(h) of the Open Meetings Act & to discuss pending litigation regarding Troyan v City of Birmingham and Delpiombo v City of Birmingham pursuant to Section 15.268(e) of the Open Meetings Act.

ROLL CALL VOTE: Ayes, Commissioner Hoff

Commissioner Nickita
Commissioner Sherman
Mayor Pro-Tem Longe
Mayor Boutros
Commissioner Baller
Commissioner Host

Nays, None

Commissioner Baller said that in general he wanted to ensure that the Commission maintains a high bar for justification of discussing matters in closed session. He said that while lawsuits make sense the Commission, for example, has no prior knowledge about the attorney-client communication to be discussed in this case and so does not know the appropriateness of discussing it in closed session before voting on the motion. He said that any Commissioner should have a right to object to discussing a matter in closed session if they adjourn to closed session and discover it would be more appropriate to discuss the matter in public.

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

A. Communication from David Bloom in regards to a nonpartisan stance.
David Bloom reviewed his communication.

City Attorney Currier noted that the City Charter requires non-partisanship from City appointees in their City-related work.

X. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments

Commissioner Host spoke in favor of making senior services a higher priority in the community. He said he would like to see \$50,000 set aside in the upcoming City budget for a variety of senior needs.

Commissioner Sherman asked CM Markus to share any preliminary insights now that he had been with the City for three weeks.

City Manager Markus responded to Commissioner Hoff's concern about City business being delayed on workshop evenings. He explained that the consensus building and increased understanding that can occur in workshops would actually promote the efficient dispensation of City business in all other Commission meetings. He said he has used workshops to great success in other communities. He said he is working on making reports, issues, and resolutions more concise. As far as the length of meetings, he recommended that all Commissioners make efforts towards being more concise in their comments.

City Manager Markus said that in general City work is going fine but that there are a lot more issues than he had anticipated.

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

INFORMATION ONLY

XI. ADJOURN

The City Commission adjourned to Closed Session at 10:30 p.m.
Mayor Boutros reconvened the meeting at 11:20 p.m.

Mayor Boutros adjourned the meeting at 11:21 p.m.

City of Birmingham
Warrant List Dated 01/27/2021

Meeting of 02/08/2021

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
277556		004627	A & L SYSTEMS INC	25.48
277558	*	002670	MIKE ALBRECHT	359.07
277559		MISC	ALLIED SIGNS INC	200.00
277560		MISC	AMERICAN STANDARD ROOFING	300.00
277561		MISC	ARANEAE INC	100.00
277562		009260	ARCHIVESOCIAL	1,995.00
277563		008988	ASTI ENVIRONMENTAL	380.00
277564	*	006759	AT&T	340.11
277565	*	006759	AT&T	294.44
277566	*	003703	AT&T MOBILITY	142.98
277568	*	003839	MATTHEW J. BARTALINO	103.75
277569	*	008708	DAVID BARTLEY	65.00
277570		002231	BILLINGS LAWN EQUIPMENT INC.	15.96
277571		003526	BOUND TREE MEDICAL, LLC	369.32
277572		MISC	BOYCE, REX AND JANELLE	5,000.00
277573	*	006177	BULLSEYE TELECOM INC	131.47
277576		000605	CINTAS CORPORATION	102.28
277577		009187	CLEARVIEW CAPTIONING LLC	1,377.50
277578		004188	COFFEE BREAK SERVICE, INC.	46.10
277579	*	000627	CONSUMERS ENERGY	551.55
277580		001367	CONTRACTORS CONNECTION INC	973.90
277581		003923	CUMMINS BRIDGEWAY LLC	223.13
277583		008005	DE LAGE LANDEN FINANCIAL SVCS INC	182.44
277584		000177	DELWOOD SUPPLY	156.34
277585	*	000179	DTE ENERGY	1,844.29
277586	*	000179	DTE ENERGY	39.87
277587	*	000179	DTE ENERGY	341.98
277588	*	000179	DTE ENERGY	5,529.92
277589	*	000179	DTE ENERGY	1,717.75
277590	*	000179	DTE ENERGY	5,557.26
277591	*	000179	DTE ENERGY	3,461.70
277592	*	000179	DTE ENERGY	14.95
277593	*	000179	DTE ENERGY	1,868.31
277594	*	000179	DTE ENERGY	49.62
277595	*	000179	DTE ENERGY	168.04
277596	*	000179	DTE ENERGY	69.66
277597	*	000179	DTE ENERGY	647.84
277598	*	000179	DTE ENERGY	20.96
277599	*	000179	DTE ENERGY	384.55
277600	*	000179	DTE ENERGY	75.67
277602	*	005711	DTE ENERGY COMPANY	2,000.00
277604		003253	ESRI, INC	9,450.00

City of Birmingham
Warrant List Dated 01/27/2021

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Check Number	Early Release	Vendor #	Vendor	Amount
277605		000936	FEDEX	604.97
277606	*	008131	FINISHMASTER INC	663.25
277607	*	008154	GREGORY FOLEY	65.00
277608		MISC	GIACALONE BUILDING LLC	300.00
277609		MISC	GREAT LAKES CUSTOM BUILDER LLC	100.00
277610		MISC	GREAT LAKES GUTTER CO	100.00
277612		MISC	HELLER & ASSOCIATES INC	100.00
277613	*	MISC	HENDERSON, JESSE	1,842.24
277614	*	005820	HENKE MFG	94.93
277615	*	001956	HOME DEPOT CREDIT SERVICES	406.96
277618	*	MISC	JAMES BROWN	595.37
277619		MISC	JANELLE LYNN WHIPPLE-BOYCE	900.00
277620	*	003823	JAY'S SEPTIC TANK SERVICE	234.00
277621		008564	JERRY'S TIRE INC	455.00
277622		MISC	JOHN MCCARTER CONSTRUCTION LLC	300.00
277623		MISC	KEARNS BROTHERS INC	100.00
277624		MISC	KEARNS BROTHERS INC.	100.00
277625		MISC	KEMERICK CONSTRUCTIOIN	100.00
277626		MISC	KENDALL DESIGN AND BUILD	200.00
277627		006982	KNRCONTROL, LLC	550.00
277628	*	000362	KROGER COMPANY	16.67
277629		MISC	KROLL CONSTRUCTION CO	200.00
277630	*	MISC	KUZATKO III, NIKOLAS	140.16
277631		001362	LACAL EQUIPMENT INC	521.00
277632		MISC	LEBEC ENTERPRISES INC	100.00
277633		MISC	LUXE HOMES DESIGN BUILD LLC	360.00
277634		008399	MAMC	80.00
277635		MISC	MCGLINCH & SONS	100.00
277636		002030	METCOM INC.	1,718.75
277637		MISC	METRO DETROIT SIGNS INC	200.00
277638		001660	MICHIGAN CAT	168.78
277640		007765	MICHIGAN INDEPENDENT DOOR CO.	92.50
277642	*	007306	MARK MISCHLE	25.00
277643		008319	MKSK INC	504.00
277644		007163	MOBILE HEALTH RESOURCES	1,873.04
277645		MISC	MODERN XTERIOR IMPROVEMENT LLC	100.00
277646	*	008160	MPARKS	747.00
277647		002010	MULTISTATE TRANSMISSIONS	3,057.44
277648		MISC	NC CEMENT	214.75
277649		MISC	OAKES ROOFING SIDING & WINDOWS INC	100.00
277650		001686	OAKLAND CO CLERKS ASSOC	25.00
277651		001686	OAKLAND CO CLERKS ASSOC	25.00
277652	*	000481	OFFICE DEPOT INC	993.69

City of Birmingham
Warrant List Dated 01/27/2021

Meeting of 02/08/2021

Check Number	Early Release	Vendor #	Vendor	Amount
277653	*	MISC	OSKUI, BEHROUZ	429.11
277654		MISC	PHILLIPS SIGN & LIGHTING INC	300.00
277655	*	009144	RICHARD TRUDO	1,200.00
277656		MISC	ROOF-RITE, INC.	200.00
277657		MISC	SCHOENHERR HOMES LLC	100.00
277658		007142	SHERWIN-WILLIAMS COMPANY	165.45
277658	*	007142	SHERWIN-WILLIAMS COMPANY	29.60
277659		008815	SHI INTERNATIONAL CORP.	2,376.00
277660	*	009143	MICHAEL SHUKWIT	700.00
277661		MISC	SIGNARAMA/TROY	200.00
277662	*	009009	SIGNATURE CLEANING LLC	13,053.00
277663	*	003466	ALAN SOAVE	46.11
277664	*	007907	SP+ CORPORATION	38,981.29
277665		MISC	SPECTRUM NEON CO.	200.00
277666	*	MISC	SSLREM LLC	249.25
277667		MISC	STAR BUILDERS INC	900.00
277668	*	009254	THOMAS M MARKUS	500.00
277669		000275	TIRE WHOLESALERS CO INC	201.56
277670		MISC	TITTLE BROTHERS CONSTRUCTION LLC	100.00
277671		MISC	TRESNAK CONSTRUCTION INC	100.00
277673	*	000293	VAN DYKE GAS CO.	175.12
277674	*	000158	VERIZON WIRELESS	663.21
277675	*	000158	VERIZON WIRELESS	49.30
277677		009128	WITMER PUBLIC SAFETY GROUP INC	254.97
277678	*	008391	XEROX CORPORATION	631.91
SUBTOTAL PAPER CHECK				\$127,658.57

ACH TRANSACTION

3333	*	008847	ABS- AUTOMATED BENEFIT SVCS, INC	29,107.90
3334	*	002284	ABEL ELECTRONICS INC	116.97
3337	*	007345	BEVERLY HILLS ACE	141.32
3338	*	008840	BIRMINGHAM PUBLIC SCHOOLS-TAXES	1,058,908.96
3339		009183	BOB ADAMS TOWING	132.00
3340		006257	C.S. MCKEE LP	1,213.93
3341	*	000565	DORNBOS SIGN & SAFETY INC	589.26
3342	*	001077	DUNCAN PARKING TECH INC	319.00
3343	*	000207	EZELL SUPPLY CORPORATION	291.83
3344	*	007314	FLEIS AND VANDENBRINK ENG. INC	708.00
3345	*	000243	GRAINGER	69.07
3346	*	001672	HAYES PRECISION INC	83.50
3348		000261	J.H. HART URBAN FORESTRY	13,701.00
3349	*	002576	JAX KAR WASH	158.00
3350	*	003458	JOE'S AUTO PARTS, INC.	224.38
3351		000155	JOHNSON CONTROLS SECURITY SOLUTIONS	855.00

City of Birmingham
Warrant List Dated 01/27/2021

Meeting of 02/08/2021

Check Number	Early Release	Vendor #	Vendor	Amount
3353	*	005876	KROPF MECHANICAL SERVICE COMPANY	9,703.12
3354	*	008843	OAKLAND COUNTY TREASURER- TAX PYMNT	389,468.21
3355	*	006027	PENCHURA, LLC	236.00
3356		009231	POLEN CAPITAL MANAGEMENT LLC	17,131.16
3357		008269	PREMIER SAFETY	350.00
3358	*	003554	RKA PETROLEUM	7,705.36
3359	*	001181	ROSE PEST SOLUTIONS	89.00
3360		006832	SAFEWARE INC.	1,985.00
3361		000254	SOCRRA	68,287.00
3362	*	004887	TRUCK & TRAILER SPECIALTIES INC	57.10
3363	*	000969	VIGILANTE SECURITY INC	112.50
3364	*	007374	WESTWOOD TRUST	24,490.65
SUBTOTAL ACH TRANSACTION				\$1,626,235.22
GRAND TOTAL				\$1,753,893.79

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 02/03/2021

Meeting of 02/08/2021

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
277679		MISC	ACTION FENCE CO OF MICHIGAN	37.50
277680		MISC	ADVANCED TECH ELECT SERVICES	200.00
277681		003708	AIRGAS USA, LLC	89.00
277682	*	002670	MIKE ALBRECHT	375.00
277683		001000	ALLIED INC	1,385.00
277684		000167	ANDERSON ECKSTEIN WESTRICK INC	2,770.00
277686	*	006759	AT&T	202.66
277687	*	006759	AT&T	106.95
277688	*	006759	AT&T	202.70
277689	*	006759	AT&T	2,275.26
277690		MISC	BABI CONSTRUCTION INC	2,400.00
277692	*	003839	MATTHEW J. BARTALINO	27.54
277693		003012	BATTERIES PLUS BULBS	78.00
277695		MISC	BELLE ISLE AWNING	75.00
277697		009264	BLOOMFIELD TOWNSHIP	53,720.50
277698		009215	BOONES EXPRESS LLC	1,002.50
277699		003526	BOUND TREE MEDICAL, LLC	1,053.72
277700		006520	BS&A SOFTWARE, INC	27,869.00
277701		009078	CANON SOLUTIONS AMERICA INC	163.20
277703	*	000444	CDW GOVERNMENT INC	952.93
277704		000605	CINTAS CORPORATION	114.59
277705	*	008006	CLEAR RATE COMMUNICATIONS, INC	1,346.46
277706		009187	CLEARVIEW CAPTIONING LLC	1,413.75
277707		009167	COL'S FAMILY RESTAURANT	110.06
277708	*	008955	COMCAST	693.32
277709	*	007774	COMCAST BUSINESS	1,258.18
277710		000979	COMERICA BANK	16,612.95
277712	*	000627	CONSUMERS ENERGY	2,048.13
277713		008582	CORE & MAIN LP	706.53
277714		MISC	D'AGOSTINI, GINO	7,344.00
277715	*	006999	CHRISTOPHER DEMAN	98.00
277717	*	007498	RONALD L. DIX	65.00
277719	*	000179	DTE ENERGY	75.92
277720	*	000179	DTE ENERGY	56.15
277721		009210	DUCENTA SQUARED ASSEST MANAGEMENT	8,547.72
277723		004671	ELDER FORD	835.97
277724		MISC	ERIC VOGLER CONSTRUCTION INC	500.00
277725		MISC	FERRARA HEATING & AIR CONDITIONING	25.00
277726		008161	FIERA CAPITAL INC	6,730.67
277727	*	007366	FIRST ADVANTAGE OCCUPATIONAL	42.84
277728		007212	FOSTER BLUE WATER OIL	586.26
277729		MISC	G & L PROPERTY INVESTMENT LLC	100.00

City of Birmingham
Warrant List Dated 02/03/2021

Meeting of 02/08/2021

Check Number	Early Release	Vendor #	Vendor	Amount
277730		MISC	GOERTZ, NORBERT W	100.00
277731		005103	GORNO FORD, INC.	20,928.00
277732	*	008007	GREAT LAKES WATER AUTHORITY	7,637.11
277733		005820	HENKE MFG	3,108.04
277733	*	005820	HENKE MFG	1,611.64
277734		001836	HISTORICAL SOCIETY OF MICHIGAN	39.00
277735		MISC	HM HOMES LLC	2,500.00
277736	*	001956	HOME DEPOT CREDIT SERVICES	960.31
277737		000342	IBS OF SE MICHIGAN	100.95
277740		001625	J.B. DLCO & MULTISTATE	7,871.71
277741	*	009234	JEFFREY RONDEAU	198.00
277742		008564	JERRY'S TIRE INC	321.00
277743		MISC	JOHN CARROLL MENTAG	500.00
277744	*	002555	MICHAEL JUREK	65.00
277745	*	009265	K & W CYCLE	821.75
277746		007643	KCS SUPPLY	582.49
277747		MISC	KROLL CONSTRUCTION CO	100.00
277748		MISC	MAC'S CONSTRUCTION	300.00
277749		MISC	MARTIN, SUSAN	5,000.00
277751	*	005404	MEDA	350.00
277752		001660	MICHIGAN CAT	167.09
277753		007765	MICHIGAN INDEPENDENT DOOR CO.	127.50
277755		MISC	MUELLER, MARY	361.57
277756		007665	NATIONWIDE POWER SOLUTIONS INC.	2,054.68
277760	*	004110	OAKLAND COMMUNITY COLLEGE	725.00
277761	*	000477	OAKLAND COUNTY	383,470.91
277762	*	003461	OBSERVER & ECCENTRIC	89.23
277763	*	004370	OCCUPATIONAL HEALTH CENTERS	117.00
277764	*	000481	OFFICE DEPOT INC	535.85
277765		MISC	ORCHARD DEVELOPMENT AND CONSTRUCTIO	1,400.00
277766		MISC	PAUL MOROGI	100.00
277767		008901	PLANTE & MORAN CRESA, LLC	30,000.00
277768		MISC	PRO HOME IMPROVEMENT INC	500.00
277769	*	008342	RAIN MASTER CONTROL SYSTEMS	29.85
277770		003447	RAFT	565.00
277771		000492	REGISTER OF DEEDS	30.00
277772		MISC	RGX	1,250.00
277773		MISC	ROOF ONE LLC	100.00
277774		000218	ROYAL OAK P.D.Q. LLC	105.00
277775		008815	SHI INTERNATIONAL CORP.	4,447.90
277776	*	MISC	SPRAYER DEPOT	154.80
277777		000256	SUBURBAN BUICK GMC INC	961.38
277778		MISC	TRESNAK CONSTRUCTION INC	100.00

City of Birmingham
Warrant List Dated 02/03/2021

Meeting of 02/08/2021

Check Number	Early Release	Vendor #	Vendor	Amount
277779	*	000293	VAN DYKE GAS CO.	109.45
277780	*	009177	VANDYKE HORN PUBLIC RELATIONS LLC	4,000.00
277781	*	000158	VERIZON WIRELESS	128.91
277782	*	000158	VERIZON WIRELESS	965.49
277783		MISC	VERTICAL ALLIANCE LLC	100.00
277784		009185	ZOOM VIDEO COMMUNICATIONS INC	539.80
SUBTOTAL PAPER CHECK				\$630,629.37
<u>ACH TRANSACTION</u>				
3365	*	008847	ABS- AUTOMATED BENEFIT SVCS, INC	26,049.23
3367	*	007345	BEVERLY HILLS ACE	14.39
3368	*	007624	BIRMINGHAM OIL CHANGE CENTER, LLC	167.63
3369		009183	BOB ADAMS TOWING	375.00
3370	*	008044	CLUB PROPHET	540.00
3371		001077	DUNCAN PARKING TECH INC	3,701.50
3372	*	000243	GRAINGER	45.16
3373	*	001672	HAYES PRECISION INC	335.00
3374	*	008851	INSIGHT INVESTMENT	5,755.95
3375	*	002407	J & B MEDICAL SUPPLY	212.00
3376		000261	J.H. HART URBAN FORESTRY	11,794.88
3377		003458	JOE'S AUTO PARTS, INC.	17.99
3377	*	003458	JOE'S AUTO PARTS, INC.	929.81
3378	*	000155	JOHNSON CONTROLS SECURITY SOLUTIONS	350.76
3379	*	000891	KELLER THOMA	1,361.25
3380	*	005876	KROPF MECHANICAL SERVICE COMPANY	746.78
3381	*	007865	LOGICAL SOLUTIONS ENTERPRISE INC	225.00
3382	*	001035	MUNICIPAL EMERGENCY SERVICES	4,390.32
3383	*	006359	NYE UNIFORM COMPANY	304.50
3384		008269	PREMIER SAFETY	366.98
3385	*	001062	QUALITY COACH COLLISION	4,114.30
3386		005787	SOUTHEASTERN EQUIPMENT CO. INC	1,603.30
3387	*	004355	SYMETRA LIFE INSURANCE COMPANY	33,177.54
3388		000273	TERMINAL SUPPLY CO.	110.46
3389	*	002037	TOTAL ARMORED CAR SERVICE, INC.	758.36
3390	*	004887	TRUCK & TRAILER SPECIALTIES INC	310.63
SUBTOTAL ACH TRANSACTION				\$97,758.72

City of Birmingham
Warrant List Dated 02/03/2021

Meeting of 02/08/2021

Check Number	Early Release	Vendor #	Vendor	Amount
GRAND TOTAL				\$728,388.09

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

Planning Division

DATE: February 8, 2021

TO: Thomas M. Markus, City Manager

FROM: Nicholas J. Dupuis, City Planner

APPROVED: Jana L. Ecker, Planning Director

SUBJECT: Set Public Hearing – Special Land Use Permit and Final Site Plan and Design Review – 219 Elm – All Seasons 2

INTRODUCTION:

The subject site, 219 Elm Street, is located at the north end of the Triangle District in the MU3 (Triangle Overlay) and O2 (Office/Commercial) Zoning Districts. Presently, the 0.35 acre parcel contains a modest two-story office building, a parking lot with roughly 25 off-street parking spaces, six mature trees, and various landscaping elements. The site is directly adjacent to the existing All Seasons of Birmingham senior living establishment that was completed around 2015.

At this time, the applicant is seeking approval from the City Commission for a Special Land Use Permit to permit independent senior living in the O2 Zoning District. As advised by the applicant, the All Seasons 2 development is proposed for seniors in a younger age bracket (55-75) that desire more independence than what the All Seasons 1 development was intended to offer. Although separate buildings, residents of the All Seasons 2 will have access to the amenities available in the All Seasons 1 building, and a site connection plan has been provided for such an occasion. Although this purely residential model differs from the mixed-use developments that have been erected in the area, the massing of the building and the proposed streetscape elements offer a similar experience from the pedestrian point-of-view.

BACKGROUND:

On May 13th, 2020 the Planning Board accepted the Community Impact Study for the development. The following month on June 10th, the Planning Board approved the Preliminary Site Plan with the following conditions:

1. The applicant must submit plans showing the side setback at the NORTH at a minimum of 10 ft. or obtain a variance from the Board of Zoning Appeals;
2. The applicant must complete the requirements of 3.08 (E) to receive additional building height;
3. The applicant must submit a rooftop plan showing a detailed rooftop use including any

proposed structures;

4. The applicant must provide construction details on the proposed parking lot screen wall;
5. The applicant must submit details on all proposed RTUs and details on the proposed screen wall to ensure the RTUs are fully screened from public view;
6. The applicant must submit material specifications, samples, and glazing calculations for the proposed building at Final Site Plan review;
7. The applicant must submit details on the types and placement of all proposed light fixtures, as well as a photometric plan showing illumination levels at all property lines; and,
8. The applicant comply with the requests of all City Departments.

On December 9th, 2020, the Planning Board recommended approval to the City Commission of the Final Site Plan for 219 Elm St. subject to the following conditions:

1. The Planning Board approves the projections into the right-of-way on the west side of the building fronting Elm Street and on the south side facing the public alley;
2. The applicant must either remove the awnings, or provide an easement acceptable to the City Attorney with the neighboring property owner for the use of the air rights to the north of the building;
3. The applicant must provide specification sheets for all rooftop and ground mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals;
4. The applicant must submit corrected landscaping plans showing the proposed locations of all planting material;
5. The applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals;
6. The applicant must submit material specification sheets for all of the required materials; and
7. The applicant must comply with the requests of all City departments.

On January 27th, 2021, the Planning Board recommended approval to the City Commission the Special Land Use Permit for 219 Elm St. – All Seasons 2 – subject to the conditions of Final Site Plan approval.

LEGAL REVIEW:

The City Attorney has reviewed this request and has no concerns.

FISCAL IMPACT:

There are no fiscal impacts for this agenda item.

SUMMARY:

The Planning Division requests that the City Commission set a public hearing date for **March 8th, 2021** to consider approval of the Special Land Use Permit, Final Site Plan and Design Review to allow the operation of the All Seasons 2 independent senior living facility at 219 Elm St.

ATTACHMENTS:

Please find attached the following documents for your review:

- Draft Special Land Use Permit Resolution
- Staff Report to the Planning Board
- Project Plans
- Application and additional documents submitted by applicant
- Meeting minutes

SUGGESTED RESOLUTION:

To set a public hearing date for March 8th, 2021 to consider the Special Land Use Permit, Final Site Plan and Design Review to allow the operation of the All Seasons 2 independent senior living facility at 219 Elm St.

**ALL SEASONS 2
219 ELM ST.
SPECIAL LAND USE PERMIT
2021**

WHEREAS, ALL SEASONS 2 filed an application pursuant to Article 7, section 7.34 of Chapter 126, Zoning, of the City Code to operate an independent senior living facility in the O2 Zoning District in accordance with Article 2, Section 2.23(C)(2) of Chapter 126, Zoning, of the City Code;

WHEREAS, The land for which the Special Land Use Permit is sought is located on the east side of Elm St., north of Forest and south of Maple;

WHEREAS, The land is zoned O2, and is located in the MU3 zone within the Triangle Overlay District, which permits the operation of an independent senior living facility 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 applicant submitted an application for a Special Land Use Permit and Final Site Plan and Design Review for ALL SEASONS 2 to operate at 219 Elm St.;

WHEREAS, The Planning Board on December 9, 2020 reviewed the application for Final Site Plan and Design Review and recommended approval to the City Commission to permit the building and site design of ALL SEASONS 2 at 219 Elm St. with the following conditions:

1. The Planning Board approves the projections into the right-of-way on the west side of the building fronting Elm Street and on the south side facing the public alley;
2. The applicant must either remove the awnings, or provide an easement acceptable to the City Attorney with the neighboring property owner for the use of the air rights to the north of the building;
3. The applicant must provide specification sheets for all rooftop and ground mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals;
4. The applicant must submit corrected landscaping plans showing the proposed locations of all planting material;
5. The applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals;
6. The applicant must submit material specification sheets for all of the required materials; and
7. The applicant must comply with the requests of all City departments.

WHEREAS, The Planning Board on January 27, 2021 reviewed the application for Special

Land Use Permit and recommended approval to the City Commission to permit the operation of ALL SEASONS 2 at 219 Elm St. subject to the conditions of Final Site Plan approval;

WHEREAS, The Birmingham City Commission has reviewed the ALL SEASONS 2 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 the ALL SEASONS 2 application for a Special Land Use Permit and Final Site Plan and Design at 219 Elm St. is hereby approved;

BE IT FURTHER RESOLVED, That the City Commission determines that to assure 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. ALL SEASONS 2 shall abide by all provisions of the Birmingham City Code; and
2. The Special Land Use Permit Amendment 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, ALL SEASONS 2 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 ALL SEASONS 2 to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit.

MAY IT BE FURTHER RESOLVED that ALL SEASONS 2 is recommended for the operation of an independent senior living facility, subject to final inspection.

I, Alexandria Bingham, Acting 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 March 8, 2021.

Alexandria Bingham
City Clerk Designee



MEMORANDUM

Planning Division

DATE: January 27th, 2021

TO: Jana Ecker, Planning Director

FROM: Nicholas Dupuis, City Planner

SUBJECT: 219 Elm St. – All Seasons 2 – Special Land Use Permit, Final Site Plan & Design Review (**Updates in Blue**)

Introduction

The subject site, 219 Elm Street, is located at the north end of the Triangle District in the MU3 (Triangle Overlay) and 02 (Office/Commercial) Zoning Districts. Presently, the 0.35 acre parcel contains a modest two-story office building, a parking lot with roughly 25 off-street parking spaces, six mature trees, and various landscaping elements. The site is directly adjacent to the existing All Seasons of Birmingham senior living establishment that was completed around 2015.

On May 13th, 2020 the Planning Board accepted the Community Impact Study for the development. The following month on June 10th, the Planning Board approved the Preliminary Site Plan with the following conditions:

1. The applicant must submit plans showing the side setback at the NORTH at a minimum of 10 ft. or obtain a variance from the Board of Zoning Appeals;
2. The applicant must complete the requirements of 3.08 (E) to receive additional building height;
3. The applicant must submit a rooftop plan showing a detailed rooftop use including any proposed structures;
4. The applicant must provide construction details on the proposed parking lot screen wall;
5. The applicant must submit details on all proposed RTUs and details on the proposed screen wall to ensure the RTUs are fully screened from public view;
6. The applicant must submit material specifications, samples, and glazing calculations for the proposed building at Final Site Plan review;
7. The applicant must submit details on the types and placement of all proposed light fixtures, as well as a photometric plan showing illumination levels at all property lines; and,
8. The applicant comply with the requests of all City Departments.

At this point, the applicant has submitted most of the documents required by the Planning Board in the conditional approval. All of the new information, such as the rooftop use, screening, photometrics and glazing will be discussed in the relevant sections below.

On December 9th, 2020, the Planning Board recommended approval to the City Commission the Final Site Plan for 219 Elm St. subject to the following conditions:

1. The Planning Board approves the projections into the right-of-way on the west side of the building fronting Elm Street and on the south side facing the public alley;
2. The applicant must either remove the awnings, or provide an easement acceptable to the City Attorney with the neighboring property owner for the use of the air rights to the north of the building;
3. The applicant must provide specification sheets for all rooftop and ground mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals;
4. The applicant must submit corrected landscaping plans showing the proposed locations of all planting material;
5. The applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals;
6. The applicant must submit material specification sheets for all of the required materials; and
7. The applicant must comply with the requests of all City departments.

The applicant has not yet submitted revised plans and/or documents to satisfy the conditions required by the Planning Board. However, the applicant has decided to address some of the comments made by the Planning Board with respect to the façade materials. Please see the updated Design Review section below. The applicant has also noted a fire command center on the first floor, which does not result in any changes in units or unit size.

At this time, the applicant is seeking a recommendation from the Planning Board for a Special Land Use Permit to permit independent senior living in the O2 Zoning District. As advised by the applicant, the All Seasons 2 development is proposed for seniors in a younger age bracket (55-75) that desire more independence than what the All Seasons 1 development was intended to offer. Although separate buildings, residents of the All Seasons 2 will have access to the amenities available in the All Seasons 1 building, and a site connection plan has been provided for such an occasion. Although this purely residential model differs from the mixed-use developments that have been erected in the area, the massing of the building and the proposed streetscape elements offer a similar experience from the pedestrian point-of-view.

1.0 Land Use and Zoning

1. Existing Land Use – The existing land use is commercial, and currently contains a 2-story office building.
2. Zoning – The subject site exists within the O2 (Office/Commercial) and MU3 Overlay (Mixed-Use 3) Zoning Districts.
3. Summary of Adjacent Land Use and Zoning –

	North	South	East	West
Existing Land Use	Multiple-Family Residential	Office/Commercial	Multi-Family Residential	Commercial
Existing Zoning District	O2 (Office/Commercial)	O1 (Office)	O2 (Office/Commercial)	O2 (Office/Commercial)
Overlay Zoning District	MU5 (Mixed-Use 5)	ASF3 (Attached Single-Family)	MU3 (Mixed-Use 3)	MU5 (Mixed-Use 5)

2.0 Setback and Height Requirements

The attached zoning compliance summary analysis provides the required and proposed bulk, area, and placement regulations for the proposed project. The following bulk, area and placement issues are present:

1. The applicant has submitted site plans showing the walls at the NORTH and SOUTH side setbacks containing windows. Article 3, Section 3.08 (B) of the Zoning Ordinance requires walls at the side setback line that contain windows to be setback 10 ft. from the side lot line. The SOUTH setback line is adjacent to an alley, which permits the applicant a 0 ft. setback requirement per Article 3, Section 3.16 (C). However, **the applicant must submit plans showing the side setback at the NORTH at a minimum of 10 ft. or obtain a variance from the Board of Zoning Appeals.**
2. The maximum building height permitted in the MU3 Zoning district is 42 ft. and 3 stories. Upon the development of the site, an additional 24 ft. and 2 stories may be granted (stepped back at a 45-degree angle from the top story allowed by right without the height bonus) with the completion of two or more requirements [summarized]: (1) Payment towards public parking facility, (2) dedication of an improved public plaza, (3) a mixed use, (4) sustainable LEED building design, and (5) transfer of development rights for a site containing a historic building. At this time, the applicant has advised that they will be providing payment towards the public parking facility and is providing a LEED certifiable building design. **The applicant must complete the requirements of 3.08 (E) to receive additional building height.**
3. The site plans submitted show a minor building overhang at the front setback line above 8 ft. starting at the second floor. Article 4, Section 4.74 (D)(4)(c)(ii) states that permanent architectural features such as windows, balconies, overhangs and other architectural features that encroach into the right of way above 8' may be approved by the Planning Board, provided that they do not extend 2' or more into the right of way or create an obstruction and that the encroachment complies with the design review standards set forth in Article 7 of the Zoning Ordinance. The proposed projections encroach roughly 1.25 ft.

into the right of way. Thus, **the Planning Board may consider the approval of the projections into the right-of-way.**

In addition, the applicant is proposing 4 awnings on the north façade over select windows that project into the neighboring property. The awnings measure approximately 4.5 ft. in projection. Based on the roughly 1 ft. setback, the awnings project about 3 ft. into the neighboring property. **The applicant must either remove the awnings, or provide an easement or license agreement with the neighboring property owner for the use of the air rights in that area.**

4. The applicant is proposing a rooftop use, which is permitted under Article 5, Section 5.07 (H) of the Zoning Ordinance. The 1,218 sq. ft. rooftop terrace proposed is set back 5 ft. from the eave line as required, and contains a trellis, planters, fireplace, grill, and small vestibule. The vestibule (59.5 sq. ft.) is roughly the size of the elevator (65.7 sq. ft.), and the rooftop trellis measures 10 ft. in height. The proposed rooftop use meets all of the requirements of the Zoning Ordinance.

3.0 Screening and Landscaping

1. Dumpster Screening – The applicant is proposing to store waste receptacles inside the building in a “Trash Room” located on the south side of the building adjacent to the public alley. The waste receptacles are fully screened by the building envelope.
2. Parking Lot Screening – The site plans submitted show a 3 ft. capped masonry screen wall along the parking lot entrance at the south side of the property along the alley. The proposed masonry screen wall meets the requirements of Article 4, Section 4.54 of the Zoning Ordinance.
3. Mechanical Equipment Screening – The Final Site Plans submitted show a rooftop plan and elevations with the location and screening materials proposed for the rooftop units on the building. Additionally, there are two new ground mounted mechanical units proposed on the site (transformer and switch) located at the southeast corner of the off-street parking facility.

The applicant is proposing 24 AC units (in keeping with LEED standards for individual temperature controls for each unit) and one large generator. The AC units are proposed along the front (west) and rear (east) sides of the rooftop and will be screened by a 42 in. screen wall comprised of cement fiber siding. The generator is located within a larger, 9 ft. 3 in. screening area located in the center of the roof on the south side. The applicant has provided specification sheets on the generator (9 ft. 3 in. tall), but has not provided specification sheets for the AC units to ensure that all of the rooftop units are fully screened.

The ground-mounted mechanical units in the off-street parking facility do not appear to contain any proposed screening. These units have a roughly 36 sq. ft. footprint each, and the applicant has not provided the specification sheets for the units to indicate the height of the units.

The applicant must provide specification sheets for all rooftop and ground-mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals.

4. Landscaping – The applicant has submitted a landscaping plan for the proposed development that depicts two landscaping areas that are within the site, and one at the north end of the site that is not within the property limits of the subject site. The parking lot does not *require* separate landscaping, as it is roughly 5,400 sq. ft., which is under the 7,500 sq. ft. threshold for parking lot landscaping requirements. The first landscaping area exists within the peninsula that also houses the parking lot screen wall at the southeast corner of the property. The applicant is proposing Pachysandra groundcovers for this area. The second landscaping area is located at the northeast corner of the property and contains 12 Wintergem Boxwood shrubs and 10 Anabelle Hydrangea shrubs.

The landscaping plan seems to have minor conflicts with the “site connectivity plan” proposed by the applicant in that 6 of the 12 Wintergem Boxwoods have been located in the walking path on the landscape plan. This appears to be a minor mistake, as the planting types, counts and relative locations have not changed from the Preliminary Site Plan. However, **the Planning Division will require corrected plans showing the proposed locations of all planting material.**

5. Streetscape – applicant is proposing to fully furnish the streetscape with the required street trees, streetlights, benches, waste receptacles, and bike racks to match the Triangle District streetscape design standards.

The proposed development contains 138 ft. of frontage, which requires 3.5 street trees and streetlights. The applicant is proposing 5 street trees and 3 streetlights spaced 40 ft. apart. The applicant has indicated that bike racks, benches and waste receptacles will be placed where they will most benefit the public. The site plan shows 2 benches and 2 waste receptacles, one set closer to the southern end of the property, and one set more centrally located within the frontage. The 3 proposed bike racks are located at the southwest corner of the property.

4.0 Parking, Loading and Circulation

1. Parking – Article 4, Section 4.45 of the Zoning Ordinance requires independent senior living complexes to provide 0.5 off-street parking spaces per unit proposed. The applicant is proposing 24 units; thus 12 off-street parking

spaces are required for the development. The site plans submitted show 10 parking spaces in private garages, and 11 parking spaces in an off-street parking facility at the rear (east) of the building for a total of 21 off-street parking spaces. The subject site had previously proposed 22 off-street spaces at Preliminary Site Plan, but one space was removed to make room for the two ground-mounted mechanical units described above. The site is proposing 2 barrier-free spaces, one in a private garage at the north end of the building, and one in the off-street parking facility at the north side of the lot.

2. Loading – The proposed development does not require any off-street loading facilities; thus none are proposed.
3. Vehicular Circulation and Access – The site plans submitted show vehicle access to the site and off-street parking facility is available via the public alley to the south of the building. The private garages are then accessed via the parking facility. There are no driveways or garage entrances on Elm St.
4. Pedestrian Circulation and Access – Pedestrian access to the site for the residents and general public will be through a main entrance and lobby located at the northwest corner of the building. Residents can then access their units via stairs or an elevator. The three first floor units also have access directly from the Elm St. frontage. Aside from the 10 private garages to be assigned to residents, there is also access at the rear of the building through two doors that may be accessed by residents through a keycard or keypad as suggested in the CIS.

Additionally, the applicant has submitted a “site connectivity plan” in response to the Planning Boards concerns about how the All Seasons 2 will connect with the existing All Seasons development (“All Seasons 1”) to the north and east. During the Community Impact Study and Preliminary Site Plan reviews, it was suggested that residents in the new development will have access to the facilities and activities housed in All Seasons 1, and that employees may also be accessing both buildings for various reasons. The applicant has shown two walking paths to connect users to the front lobby of the All Seasons 1: one path from the main entrance on Elm St. which directs the user north and then east along a sidewalk, and two, a path from the rear of the building through a designated path along the newly proposed parking facility, then east across the All Seasons 1 parking facility. The applicant has noted that measures will be taken to ensure that route 1 meets ADA standards and that route 2 will receive treatments to help delineate the pedestrian walking path such as signage and brick pavers (all improvements on the All Seasons 1 property are subject to review and approval by the Planning Division and/or Planning Board).

5.0 Lighting

The applicant has submitted specifications and a photometric plan for the proposed lighting for the development. The lighting plan consists of the following luminaires:

Luminaire Type	Location	Qty.	Manufacturer
LED Recessed Downlight	- Main Entrance - Ground Floor Unit Recessed Patios 2nd floor Balcony	5	BEGA
Pitched LED Wall Mount	- Main & Rear Entrances 3rd Floor Balcony - Rooftop	5	Tech Lighting
Beam LED Wall Sconce	- Front (Elm) Façade - Rear Entrance 4th & 5th Floor Balcony	11	Brownlee Lighting
Wall Mount Outdoor Square	Rear Façade/Parking Lot	6	Visa Lighting
Wend Step Light	Rooftop	21	Tech Lighting

Article 4, Section 4.21 (D) requires all proposed luminaires to be fully cut-off and positioned in a manner that does not unreasonably invade abutting or adjacent properties. Each luminaire proposed appears to be fully cut-off as defined by Article 9, Section 9.02 of the Zoning Ordinance.

Furthermore, Section 4.21 (E) states that the intensity of light on a site shall not exceed six-tenths (0.6) maintained foot-candles at any property line that abuts a single-family residential zoned property or one and one half (1.5) maintained foot-candles at any property line for any other zoned property. The light intensity shall be measured at 6 ft. above ground level on a vertical plane. Additionally, the intensity of light on a site which provides a front setback of less than 5' shall be measured from 5' beyond the front property line. The photometric plan submitted shows illuminance levels that do not exceed the requirements of the Zoning Ordinance. In addition to light intensity at the property lines, the applicant is required to provide a minimum light intensity for the parking facility of a minimum of 0.2 foot-candles. The photometric plan provided shows the majority of the parking facility at 0 foot-candles. Thus, **the applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals.**

In addition to a ground-floor photometric, the applicant has also submitted photometric information for each floor (balconies), as well as the rooftop use so that the Planning Board may better understand what kind of effect the rooftop use may have in terms of light pollution. Although the luminaires are all fully cut-off, there are some high illumination levels (as high as 28.7 foot-candles) within the rooftop use. It is important to note, however, that although there are some high figures present in the rooftop photometric, the rooftop use is set back roughly 25 ft. from the front (west) property line, and over 60 ft. from the rear (east) property line.

6.0 Departmental Reports

1. Engineering Division – The Engineering Division has not provided any comments at this time. All comments received will be provided to the Planning Board at Final Site Plan Review

2. Department of Public Services – The Department of Public Services has not provided any comments at this time. All comments received will be provided to the Planning Board at Final Site Plan Review
3. Fire Department – The Fire Department has provided the following comments:
 - The proposed location of the FDC is not acceptable. The FDC shall be located on the street (Elm) side of the building, in an unobstructed location approved by the Fire Marshal.
 - A **new hydrant** shall be installed in the area in front of this new building on Elm. Hydrant must be within 100 feet of the FDC location.
 - This building will need a fire command room.
 - This building will need to comply with the high rise requirements of the Michigan Building Code, and the International Fire Code 2015 Editions.
 - Building will require a fire pump with an alternative power source (generator).
 - Fire alarm occupant notification shall be provided on all exterior balconies.
 - Any exterior balcony with an overhead projection of 2 feet or more, that has any BBQ, fire feature, or any other sources of ignition, shall have fire suppression coverage.
 - Submitted floor plans shall show egress travel distances.
 - Width of rear driveway entry shall be shown on submitted floor plan.

Roof:

- Doors from rooftop terrace shall be egress compliant.
 - Exit signs shall be installed at rooftop exit doors.
 - Rooftop terrace shall require emergency lighting to illuminate the path of egress during power outages.
 - Fire alarm occupant notification shall be provided on rooftop terrace.
 - Manual fire alarm boxes shall be installed at rooftop egress doors.
 - Fire extinguishers shall be installed near rooftop egress doors.
2. Police Department – The Police Department has cited some general concerns about how this development may affect the parking in the area, especially in the nearby residential neighborhoods.
 3. Building Division – The Building Division has not provided any comments at this time. All comments received will be provided to the Planning Board at Final Site Plan Review

7.0 Design Review

The applicant has submitted elevation drawings with material details for all elevations. Article 3, Section 3.09 states that only mixed-use buildings that contain non-residential uses on the ground floor and residential in upper floors and all non-residential buildings

must follow certain architectural requirements in the Triangle Overlay District. Alternatively, Section 3.10 states that attached single-family residential dwellings and live/work units must meet a separate set of architectural standards. The proposed senior independent living facility does not fit under either classification. Thus, no Triangle District Overlay architectural standards are *required* for the new building.

It is worth reviewing, however, the architectural requirements in Article 3, Sections 3.09 and 3.10, which include front façade, window and door, and building material requirements that are all applicable to the proposed development.

For the front façade, mixed use and commercial buildings are required to have a main entrance that is located on at least one street front. Main entrances shall have design details that enhance the appearance and prominence of the entrance so that it is recognizable from the street and parking areas. The main entrance proposed on Elm St., which the applicant has attempted to enhance through the use of balconies and decorative railings, appears to meet this standard. In addition to the main entrance, buildings that are longer than 100 ft. are required to have a minimum of one usable entrance every full 50 feet of frontage along the front public sidewalk and shall provide architectural variation to visually break the building up. For this 136 ft. building, the applicant has provided entrances to the three ground-floor units about every 40 ft. with a patio and decorative railings to offer visual interest and attention toward the entrances.

For attached single-family and live work units, all residential units are required to provide a pedestrian door facing the front lot line and a front porch with steps. As described above, the 3 units on the first floor all contain pedestrian entrances and porches, but the porches are at ground-level (no steps).

As for windows and doors, mixed use and commercial buildings are required to meet the glazing and clarity requirements in the Triangle Overlay District, which are generally the same as the requirements in the underlying O2 zoning district. The ground floor façade is required to contain a minimum of 70% glazing using clear glass (80% Visual Light Transmittance), whereas glazing on the upper floors is capped at a maximum of 50% and is permitted to be clear OR lightly tinted (70% Visual Light Transmittance) glass. The applicant has not provided (nor is required to provide) glazing calculations or specification sheets on glass, but the glazing appears to be significant and consistent.

Finally, both mixed use/commercial and attached single-family/live work buildings in the Triangle Overlay District are required to provide a building comprised of high quality materials. Mixed-use/commercial buildings are required to provide a minimum of 60% brick, stone or glass. Such buildings are also required to create a distinction between the first and upper floors through the use of accents such as a string course, change in material or textures, or an awning or canopy between the first and second stories. The proposed building facades on floors 1-3 are comprised of almost exclusively brick, stone and glass. Floors 4 and 5 are clad in cement fiberboard siding. There are some accent pieces on all facades of cement fiberboard (moulding, trim) and stucco (cornices), and the balconies on floors 2-5 contain a 42 in. high aluminum railing. On the rooftop, the applicant is proposing to utilize cement fiberboard in all of the screenwall material, and

has continued the stone on the chimneys up to a clay chimney pot. Finally, the applicant is proposing 15 fabric awnings on the north, east and south facades.

The color scheme for the building facades is as follows:

Material	Color	
Brick	Grey (Match Existing All Seasons 1)	
Stone	Natural (Match Existing All Seasons 1)	
Window Frames & Trim	Relaxed Khaki	
Cornice	Smokehouse	
Cement Fiberboard Siding	Clay Beige	
Awning Fabric	Orange	

At this time, the applicant has not submitted specification sheets for the aluminum railings or the fabric awning proposed. **The applicant must submit material specification sheets for all of the required materials.**

In response to the comments made by the Planning Board regarding façade materials that (in summation) make the building a little more interesting and differentiate it from the All Seasons 1 development, the applicant is proposing several minor changes. These changes include a small area of brick at the southeast corner of the building and some alternative materials for the fiber cement board proposed on each elevation. The alternative materials are metal siding or a 3-coat cement based finish. There are no indications that the proposed color of these materials will change.

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 7.26 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.

10.0 Recommendation

Based on a review of the site plan submitted, the Planning Division finds that the proposed Final Site Plan meets the requirements of Article 7, section 7.27 of the Zoning Ordinance and recommends that the Planning Board recommend **APPROVAL** of the Final Site Plan and Design Review for 219 Elm St. – All Seasons 2 – to the City Commission with the following conditions:

- 1. The applicant must submit plans showing the side setback at the NORTH at a minimum of 10 ft. or obtain a variance from the Board of Zoning Appeals;
- 2. The Planning Board should approve the projections into the right-of-way;

3. The applicant must either remove the awnings, or provide some sort of easement or license agreement with the neighboring property owner for the use of the air rights in that area;
4. The applicant must provide specification sheets for all rooftop and ground-mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals;
5. The applicant must submit corrected landscaping plans showing the proposed locations of all planting material;
6. The applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals;
7. The applicant must submit material specification sheets for all of the required materials; and
8. The applicant must comply with the requests of all City departments.

AND

The Planning Division finds that the proposed Final Site Plan and the senior independent living community use meets the requirements of Article 7, Section 2.26 of the Zoning Ordinance and recommends that the Planning Board recommend **APPROVAL** of the Special Land Use Permit for 219 Elm St. – All Seasons 2 – to the City Commission subject to the conditions of Final Site Plan approval.

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

Motion to recommend **APPROVAL** to the City Commission the Final Site Plan and Design Review for 219 Elm St. – All Seasons 2 – subject to the following conditions:

1. The applicant must submit plans showing the side setback at the NORTH at a minimum of 10 ft. or obtain a variance from the Board of Zoning Appeals;
2. The Planning Board should approves the projections into the right-of-way;
3. The applicant must either remove the awnings, or provide some sort of easement or license agreement with the neighboring property owner for the use of the air rights in that area;
4. The applicant must provide specification sheets for all rooftop and ground-mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals;
5. The applicant must submit corrected landscaping plans showing the proposed locations of all planting material;
6. The applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals;
7. The applicant must submit material specification sheets for all of the required materials; and
8. The applicant must comply with the requests of all City departments.

OR

Motion to **POSTPONE** the Final Site Plan and Design Review for 219 Elm St. – All Seasons 2 – pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to recommend **DENIAL** to the City Commission the Final Site Plan and Design Review for 219 Elm St. – All Seasons 2 – for the following reasons:

1. _____
2. _____
3. _____

12.0 Sample Motion Language (*Special Land Use Permit*)

Motion to recommend **APPROVAL** to the City Commission the Special Land Use Permit for 219 Elm St. – All Seasons 2 – subject to the conditions of Final Site Plan approval.

OR

Motion to **POSTPONE** the Special Land Use Permit for 219 Elm St. – All Seasons 2 – pending receipt of the following:

1. _____
2. _____
3. _____

Motion to recommend **DENIAL** to the City Commission the Special Land Use Permit for 219 Elm St. – All Seasons 2 – for the following reasons:

1. _____
2. _____
3. _____

**Zoning Compliance Summary Sheet
Final Site Plan Review
219 Elm St. – All Seasons 2**

Existing Site: 2-Story Office Building & Parking Facility

Zoning: O2 (Office/Commercial) & MU3 (Mixed Use)

Land Use: Mixed Use

Existing Land Use and Zoning of Adjacent Properties:

	North	South	East	West
Existing Land Use	Multiple-Family Residential	Office/Commercial	Multi-Family Residential	Commercial
Existing Zoning District	O2 (Office/Commercial)	O1 (Office)	O2 (Office/Commercial)	O2 (Office/Commercial)
Overlay Zoning District	MU5 (Mixed-Use 5)	ASF3 (Attached Single-Family)	MU3 (Mixed-Use 3)	MU5 (Mixed-Use 5)

Land Area: Existing: 0.35 ac.
Proposed: 0.35 ac. (no changes)

Dwelling Units: Existing: 0 units
Proposed: 24 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: 5 ft. maximum
Proposed: 0 ft.

Side Setbacks Required: 10 ft. for walls that contain windows
Proposed: **≈ 1 ft. (north)**
10 ft. (south)

The applicant must submit revised plans showing a side setback at the north at 10 ft. or obtain a variance from the Board of Zoning Appeals.

Min. Rear Setback: Required: 10 ft.
Proposed: 42 ft.

Min. Front+Rear Setback Required: N/A
Proposed: N/A

Max. Bldg. Height: Permitted: 66 ft., 5 stories
Proposed: 61 ft., 5 stories

Min. Eave Height: Required: N/A
Proposed: N/A

1st Story Height: Required: 14 ft.
Proposed: 14 ft.

Front Entry: Required: N/A
Proposed: N/A

Absence of Bldg. Façade: Required: N/A
Proposed: N/A

Opening Width: Required: N/A
Proposed: N/A

Parking: Required: 12 spaces
Proposed: 21 spaces

Min. Parking Space Size: Required: 180 sq. ft.
Proposed: 180 sq. ft.

Parking in Frontage: Required: N/A
Proposed: N/A

Loading Area: Required: N/A

Proposed: N/A

Screening:

Parking: Required: 32 in. capped masonry
Proposed: 33 in. capped masonry

Loading: Required: N/A
Proposed: N/A

Rooftop Mechanical: Required: 10 ft. maximum
Proposed: 42 in. (AC units)
9 ft. (generator)

The applicant must submit specification sheets for all rooftop units to ensure screening from public view.

Elect. Transformer: Required: Masonry with wood gates
Proposed: **None**

The applicant must provide adequate screening for the two ground-mounted electrical units or obtain a variance from the Board of Zoning Appeals.

Dumpster: Required: 6 ft. masonry with wood gates
Proposed: Within building envelope

ALL SEASONS - PHASE 2

FINAL S.P.A. / S.L.U.P.

BIRMINGHAM, MICHIGAN

SHEET INDEX	
T-1	TITLE SHEET
S-1	ARCHITECTURAL SITE PLAN
I	FOUNDATION PLAN
2	FIRST FLOOR PLAN
3	SECOND FLOOR PLAN
4	THIRD FLOOR PLAN
5	FOURTH FLOOR PLAN
6	FIFTH FLOOR PLAN
7	ROOF PLAN
8	WEST ELEVATION (ELM STREET)
9	NORTH ELEVATION
10	EAST ELEVATION
11	SOUTH ELEVATION (PUBLIC ALLEY)
12	BUILDING SECTIONS

OWNERS:

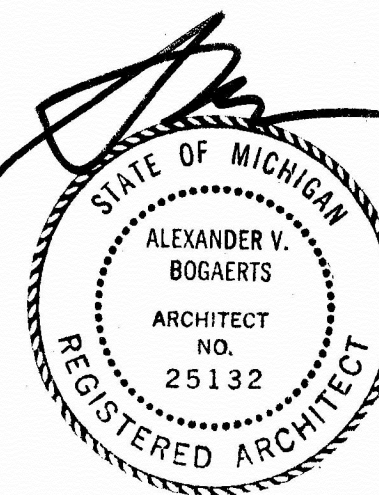
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248-855-5400 (P)

ARCHITECT:

ALEXANDER V. BOGAERTS + ASSOCIATES, P.C.

2445 FRANKLIN ROAD
BLOOMFIELD HILLS, MI 48302
248.334.5000



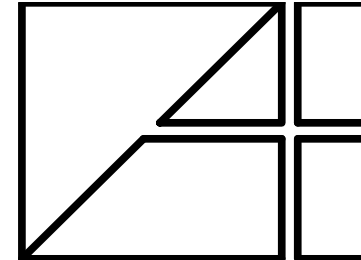
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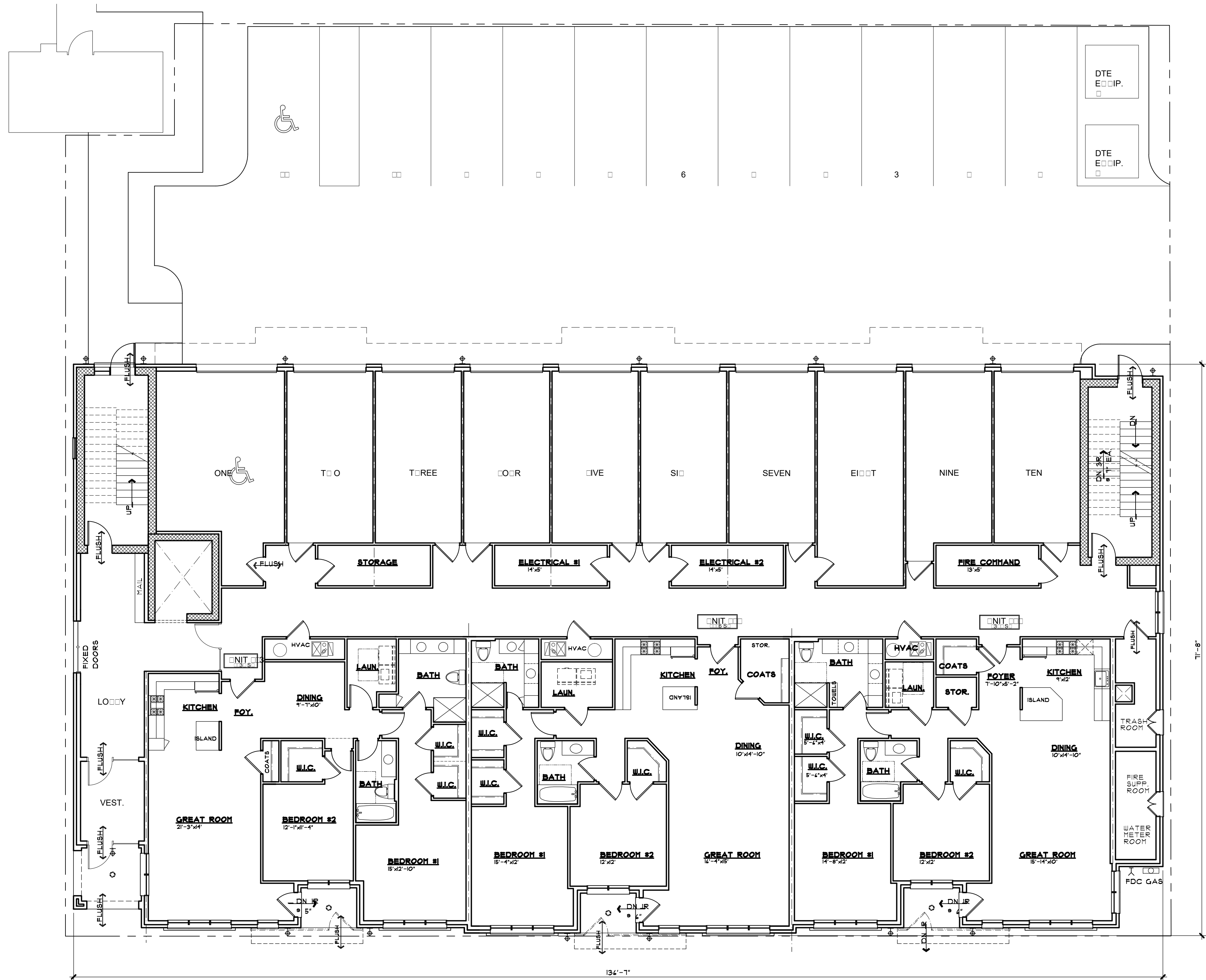
TITLE SHEET

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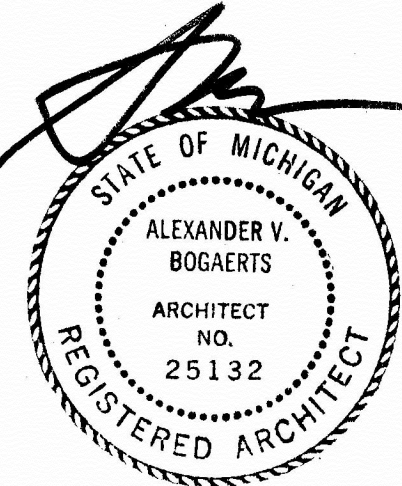
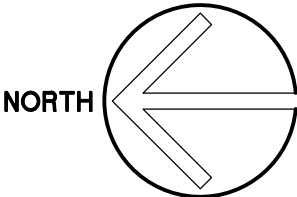
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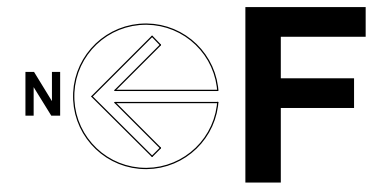




SITE PLAN

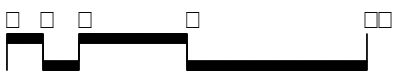
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F

FOUNDATION PLAN



ALL INTERIOR PARTITION DIMENSIONS ARE
3 1/2" UNLESS NOTED OTHERWISE.

BEFORE CONSTRUCTION OBTAIN WINDOW & DOOR ROUGH
OPENING SIZES FROM WINDOW/DOOR SUPPLIER.

TRUSS DESIGNER/FABRICATOR SEE SHEET #2
FOR ADDITIONAL NOTES & INFORMATION

SEE SHEET #3 & 4 FOR ADDITIONAL DETAILS
REGARDING DRAWINGS & CONSTRUCTION

SEE SHEET #1 FOR ADDITIONAL NOTES
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Alexander V. Bogaerts

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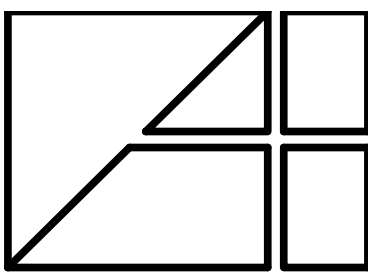
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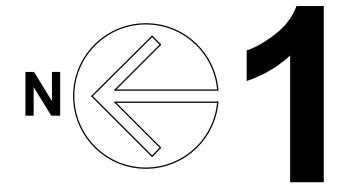
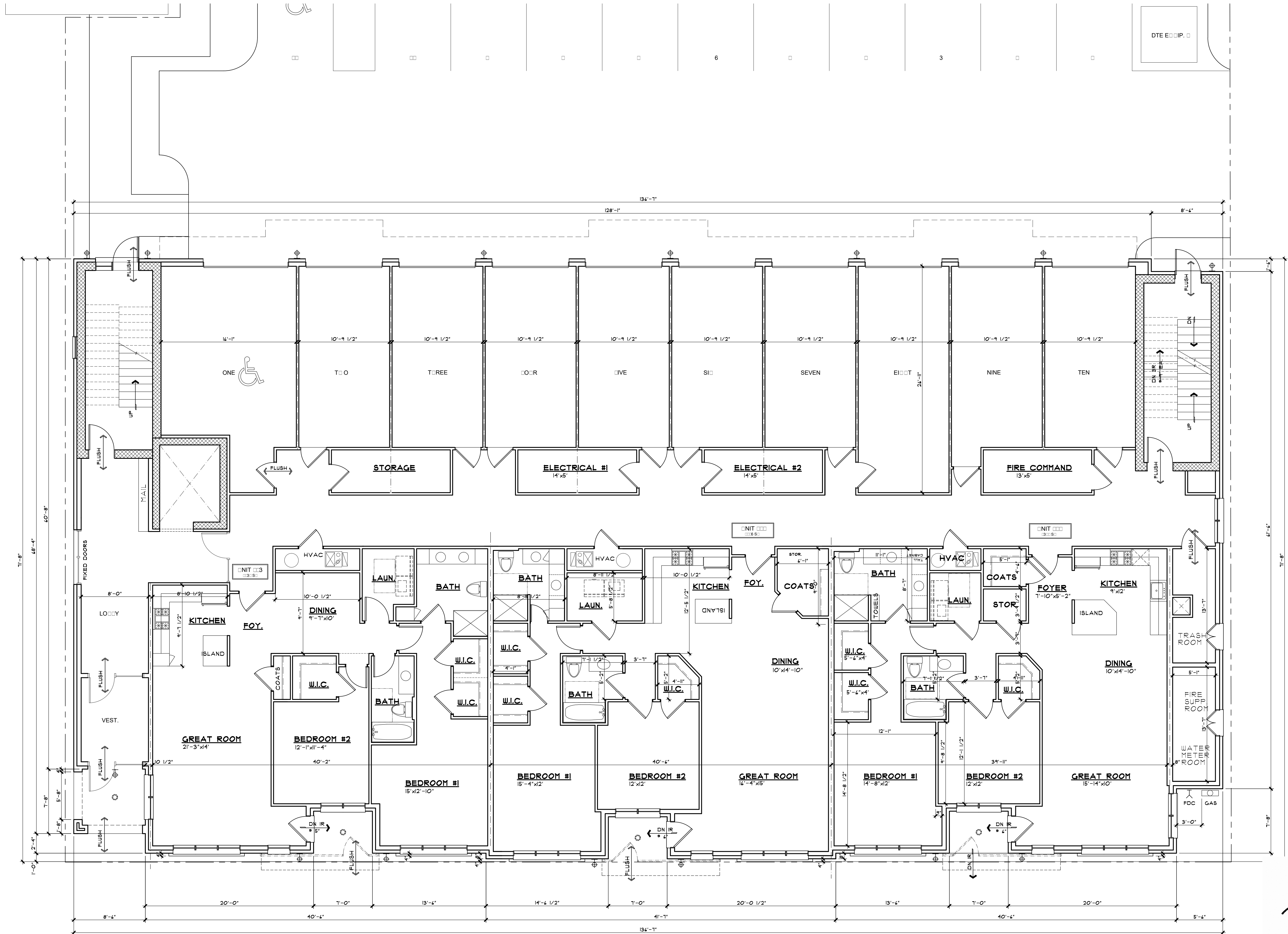
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BIRMINGHAM, MICHIGAN

SHEET TITLE
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FIRST FLOOR PLAN

ALL INTERIOR PARTITION DIMENSIONS ARE 3/4" UNLESS NOTED OTHERWISE.

BEFORE CONSTRUCTION OBTAIN WINDOW & DOOR ROUGH OPENING SIZES FROM WINDOW/DOOR SUPPLIER.

TRUSS DESIGNER/FABRICATOR SEE SHEET #2 FOR ADDITIONAL NOTES & INFORMATION.

SEE SHEET #3 & 4 FOR ADDITIONAL DETAILS REGARDING DRAWINGS & CONSTRUCTION.

SEE SHEET #1 FOR ADDITIONAL NOTES REGARDING DRAWINGS & CONSTRUCTION.

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FIRST FLOOR PLAN

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DATE

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DESIGNER

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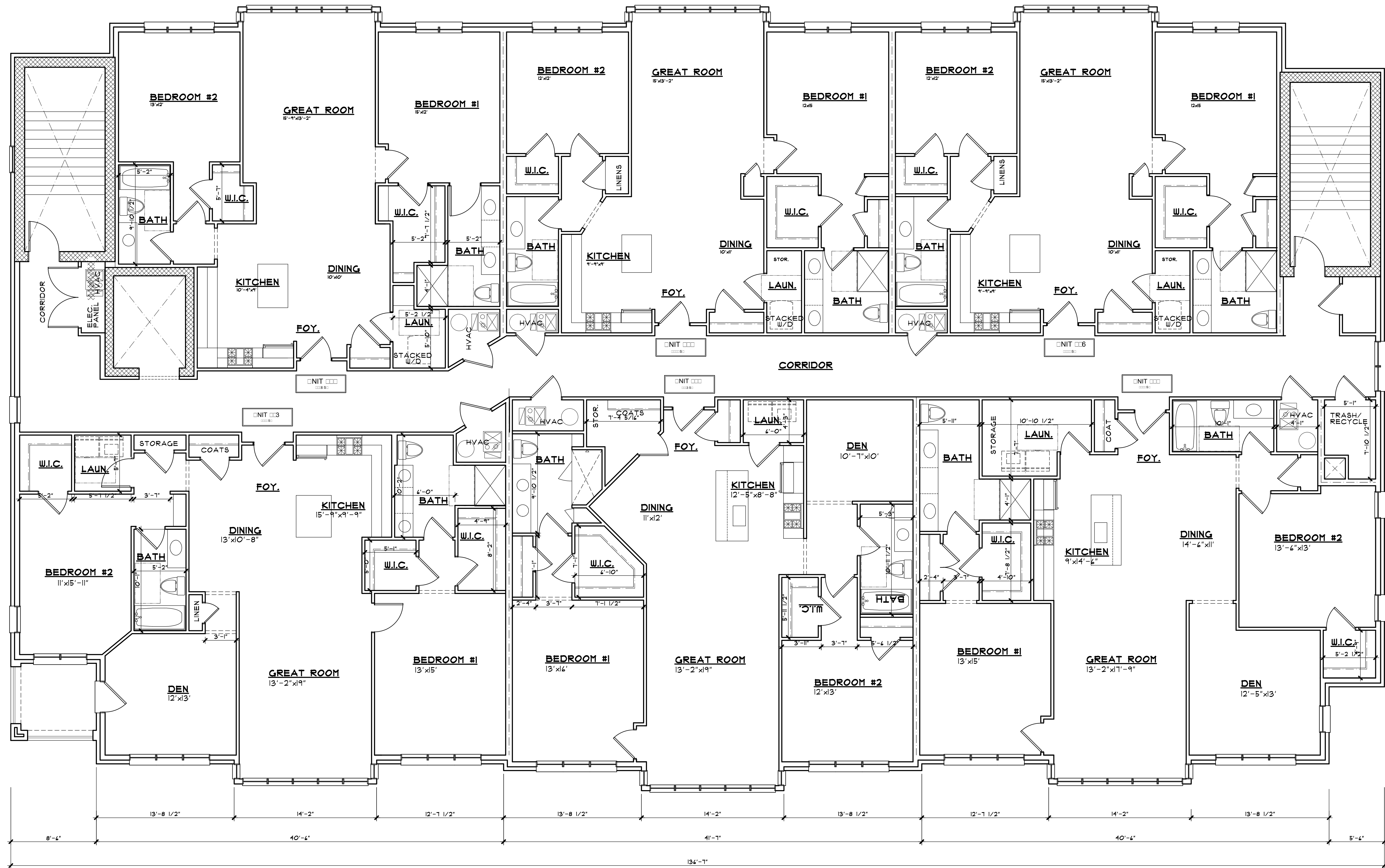
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STATE OF MICHIGAN
ALEXANDER V. BOGAERTS
ARCHITECT
NO. 25132
REGISTERED ARCHITECT



2 SECOND FLOOR PLAN

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BEFORE CONSTRUCTION OBTAIN WINDOW & DOOR ROUGH OPENING SIZES FROM WINDOW/DOOR SUPPLIER.

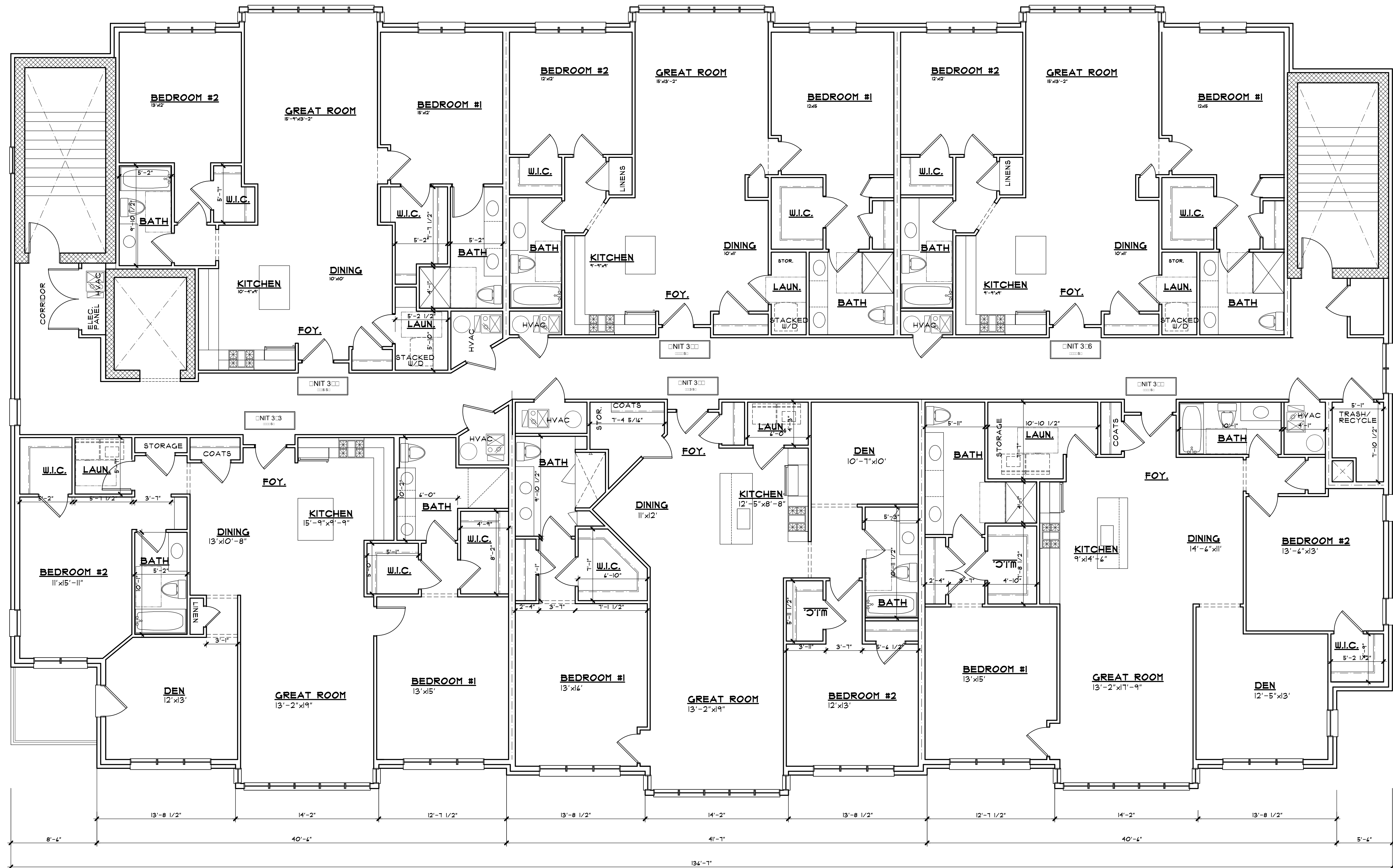
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3 THIRD FLOOR PLAN

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THIRD FLOOR PLAN

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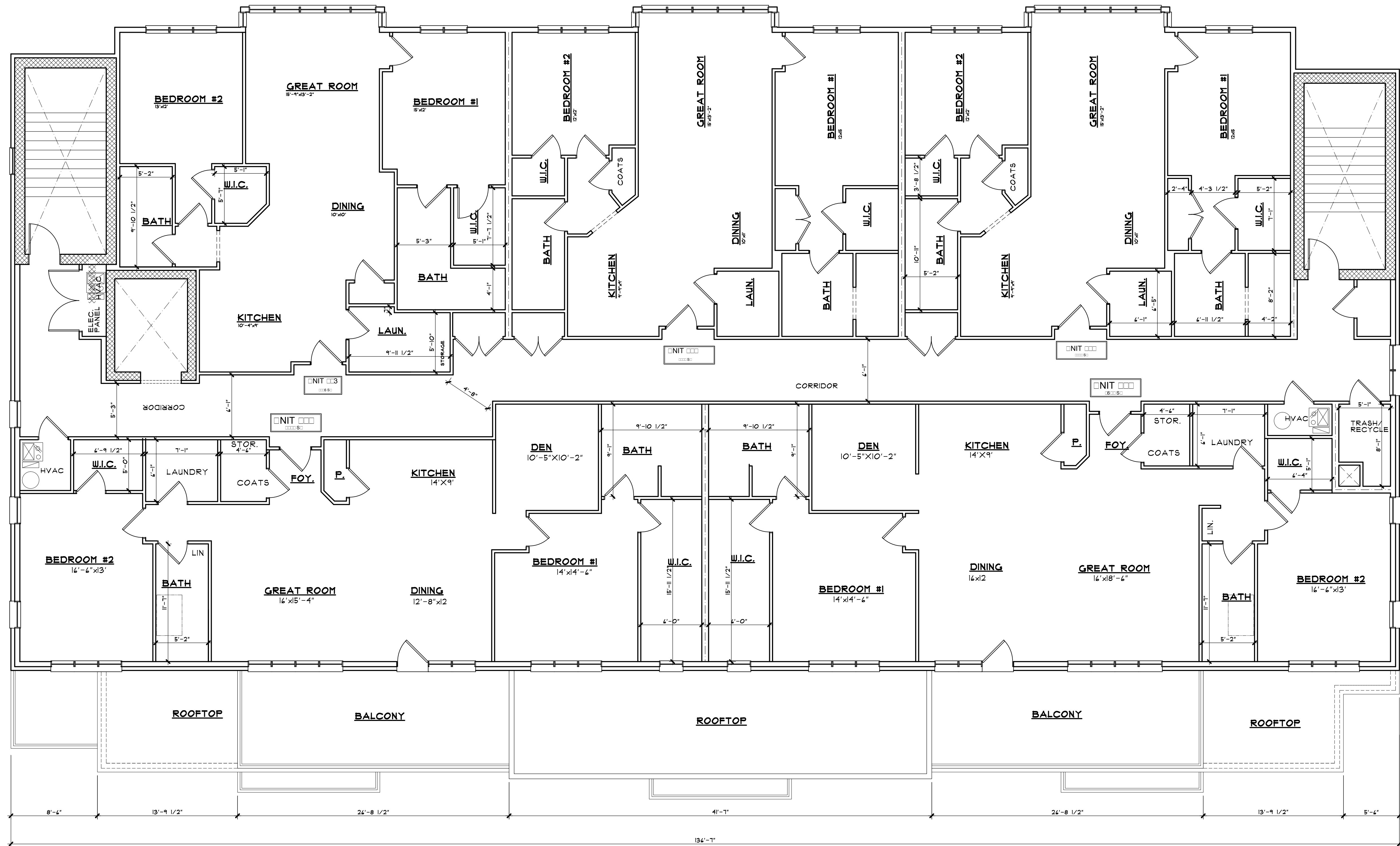
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4 FOURTH FLOOR PLAN

ALL INTERIOR PARTITION DIMENSIONS ARE 3 1/2" UNLESS NOTED OTHERWISE.

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5 FIFTH FLOOR PLAN

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ROOF PLAN

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BEFORE CONSTRUCTION OBTAIN WINDOW & DOOR ROUGH OPENING SIZES FROM WINDOW/DOOR SUPPLIER.

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WEST ELEVATION (ELM STREET)

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

NOTE:
SEE RENDERINGS FOR
COLORS & MATERIAL



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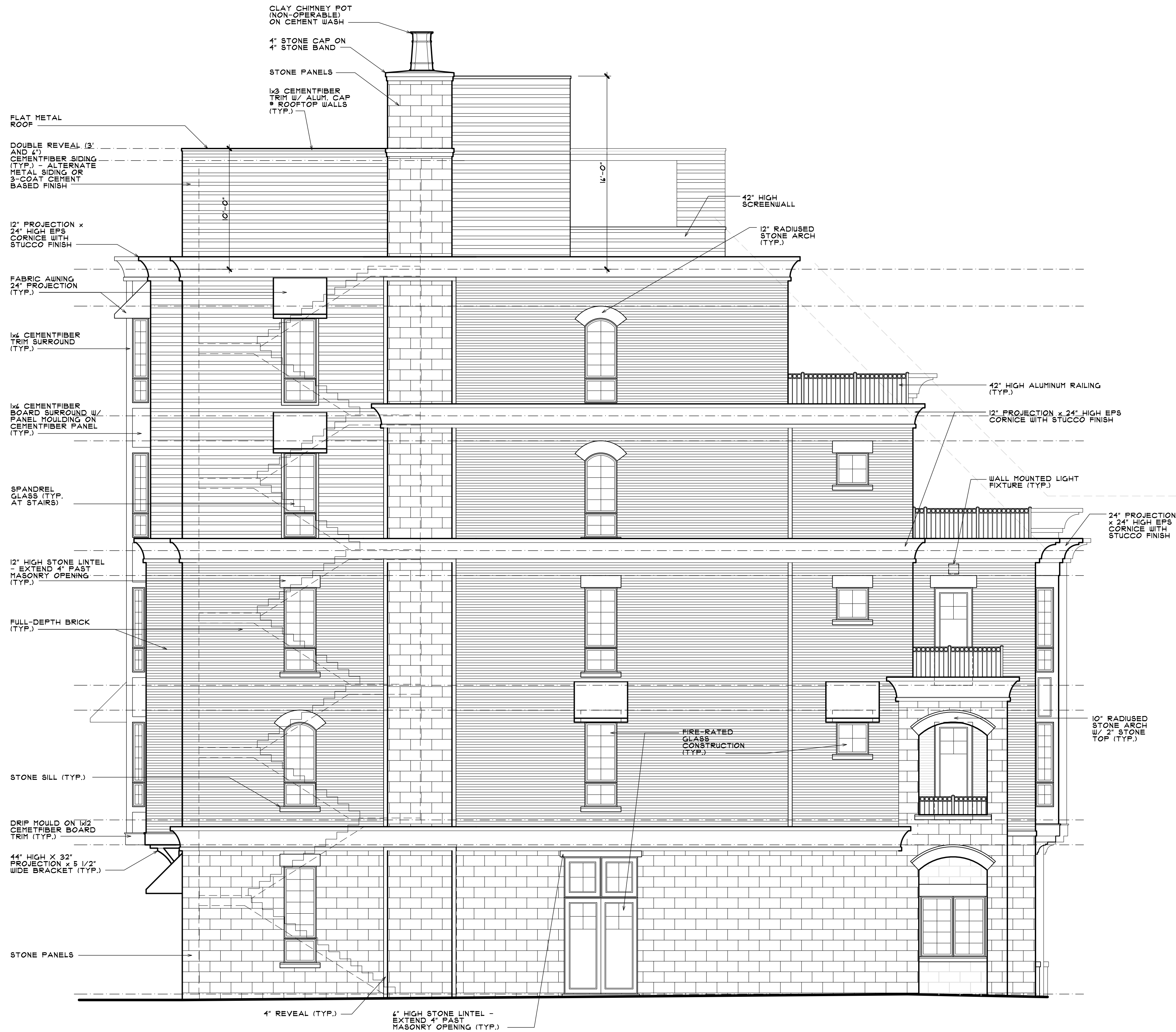
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WEST ELEVATION (ELM ST.)

FINAL S.P.A. / S.L.U.P.



NORTH (LEFT SIDE) ELEVATION

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

NOTE:
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COLORS & MATERIAL



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NORTH ELEVATION

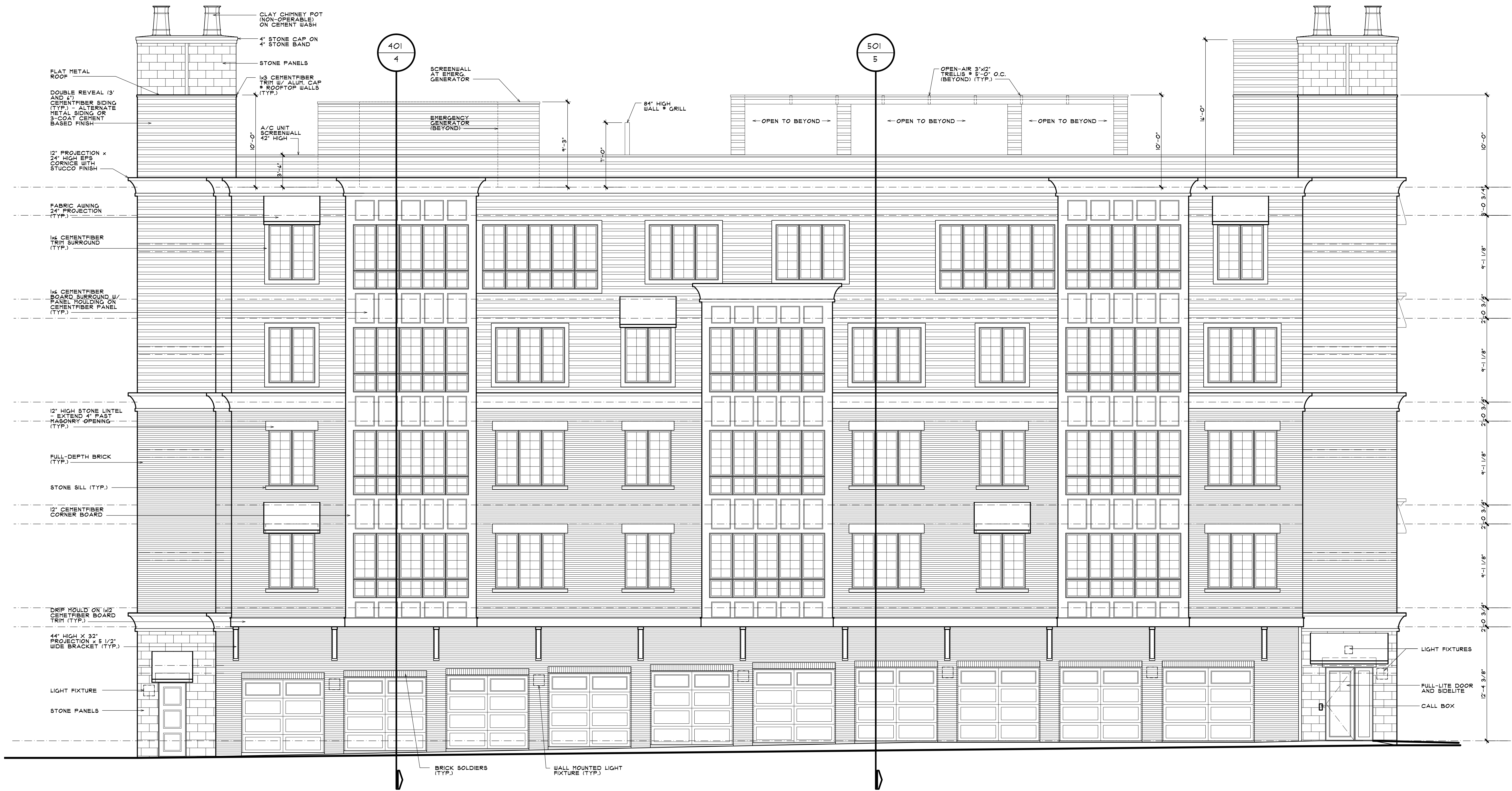
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EAST (REAR) ELEVATION

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

NOTE:
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SHEET TITLE

EAST (REAR) ELEVATION

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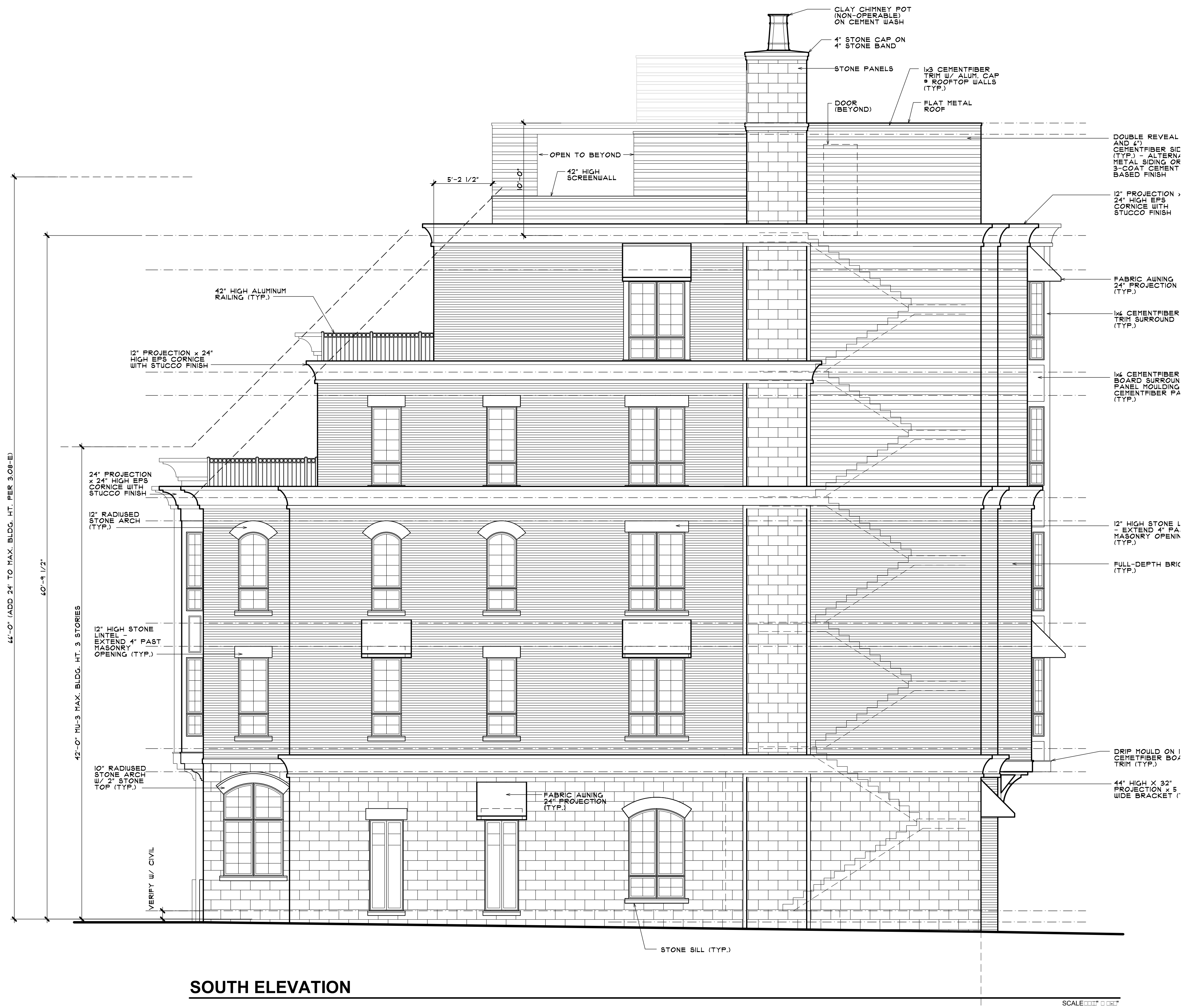
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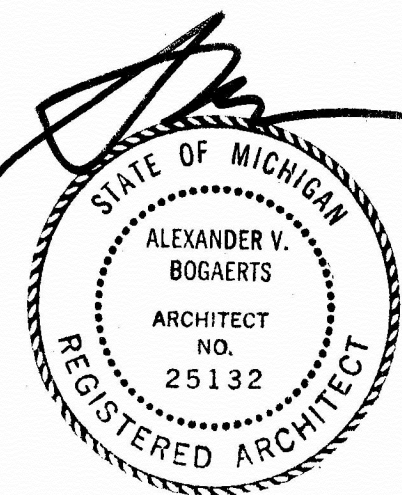
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SOUTH ELEVATION

NOTE:
SEE RENDERINGS FOR
COLORS & MATERIAL



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Bloomfield Hills, MI 48302
248 • 334 • 5000

SHEET TITLE

SOUTH (ALLEY) ELEVATION

FINAL S.P.A. / S.L.U.P.

CLIENT/PROJECT

BEZTAK
ALL SEASONS BIRMINGHAM
PHASE 2 ADDITION
BIRMINGHAM, MICHIGAN

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ALEXANDER V. BOGAERTS + ASSOC.

☐ SPA
■■■■-MAR-■■

☒ FINAL SPA
■■■■-DEC-■■

☒ S.L.U.P.
■■■■-AN-■■

☐ CONSTRUCTION

DRAWN BY

CAD FILENAME

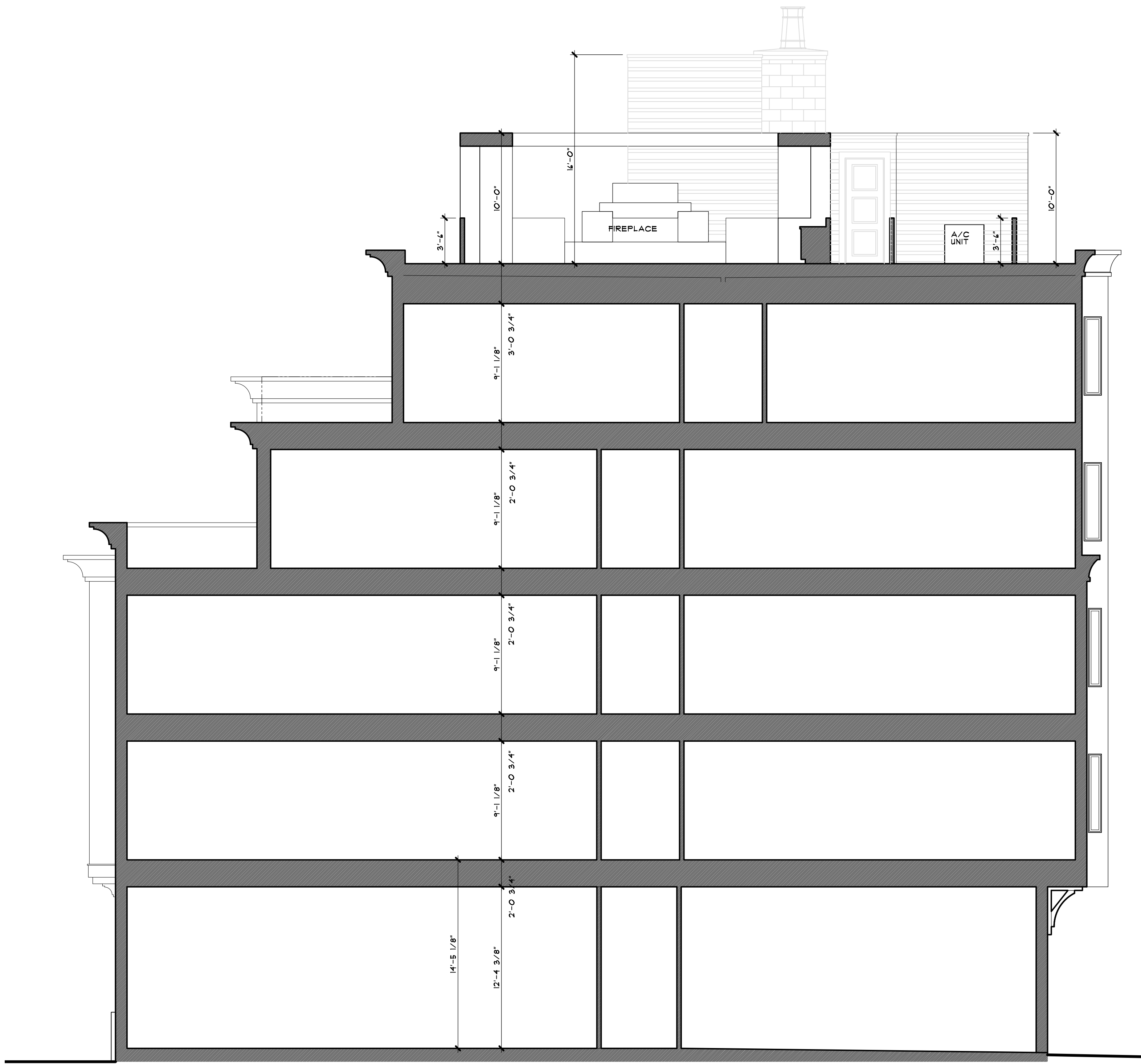
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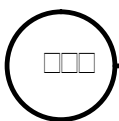
JOB NUMBER

DATE

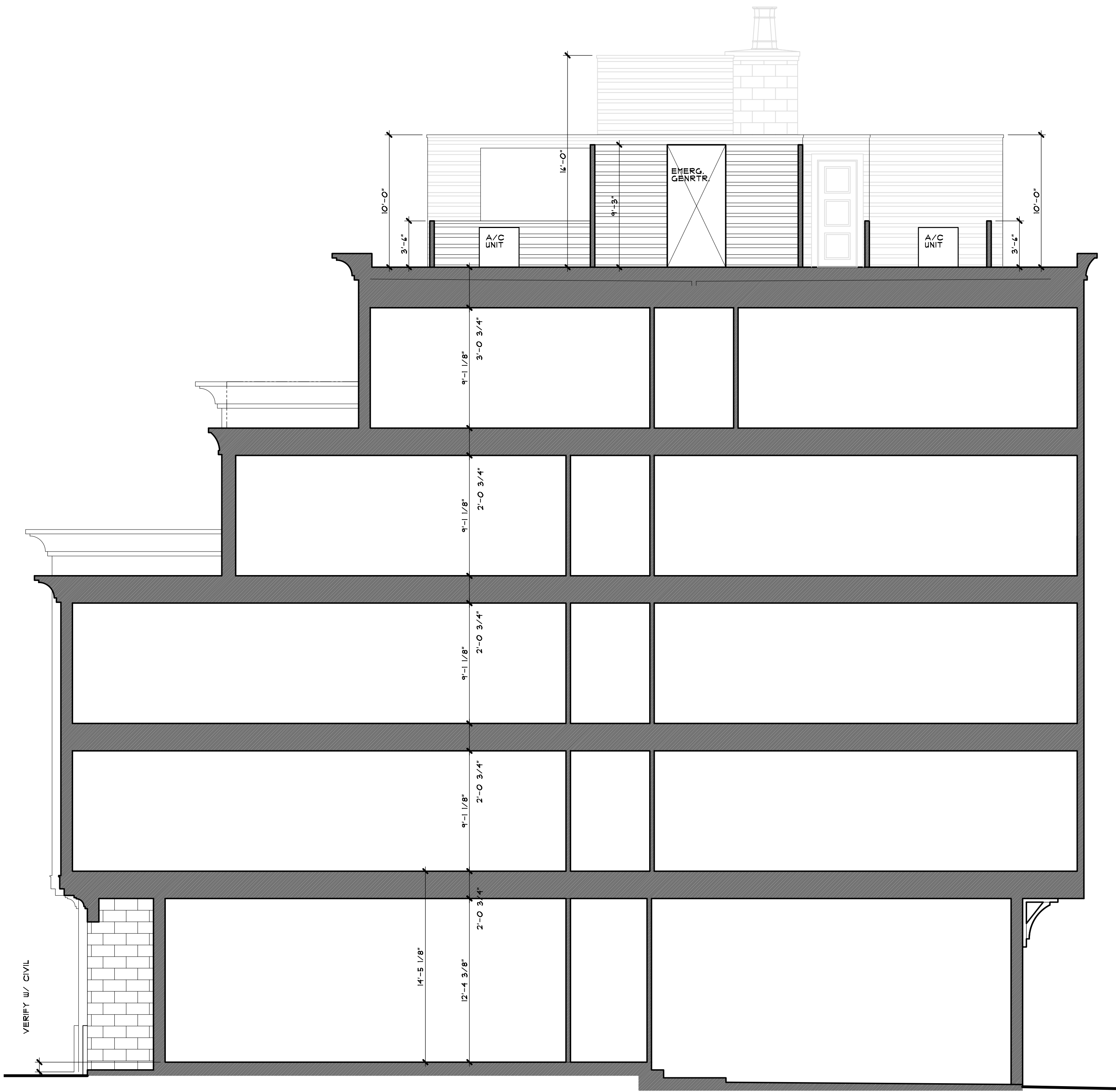
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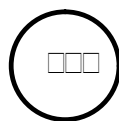
11



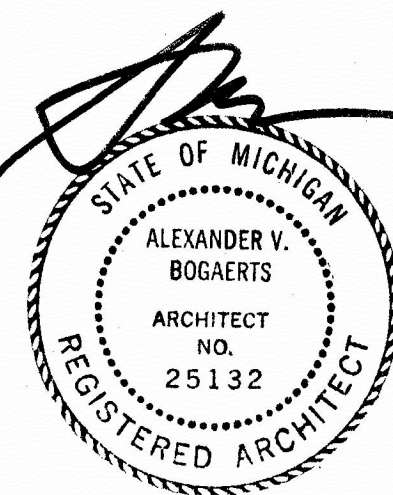
 BUILDING SECTION

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



 BUILDING SECTION (THROUGH EMERGENCY GENERATOR)

NOTE:
SEE RENDERINGS FOR
COLORS & MATERIAL



CITY OF BIRMINGHAM
Date 12/22/2020 11:07:46 AM
Ref 00175461
Receipt 557453
Amount \$100.00

CITY OF BIRMINGHAM
Date 12/22/2020 11:07:46 AM
Ref 00174151
Receipt 557453
Amount \$1,100.00

CITY OF BIRMINGHAM
Date 10/30/2020 9:40:11 AM
Ref 00174151
Receipt 551471
Amount \$1,600.00

Special Land
Use Permit +



Final Site Plan & Design Review Application Planning Division

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

1. Applicant

Name: Maple Elm Development Company II LLC
Address: 31731 Northwestern Hwy, Suite 250W
Farmington Hills, MI 48334
Phone Number: 248-855-5400 (main)
Fax Number: 248-737-6177
Email address: mhighlen@beztak.com

2. Property Owner

Name: Same as Applicant
Address: _____
Phone Number: _____
Fax Number: _____
Email address: _____

3. Applicant's Attorney/Contact Person

Name: Mark Highlen - Land Development Project Manager
Address: 31731 Northwestern Hwy, Suite 250W
Farmington Hills, MI 48334
Phone Number: 248-737-6175
Fax Number: 248-737-6177
Email address: mhighlen@beztak.com

4. Project Designer/Developer

Name: Xander Bogaerts - Alexander V. Bogaerts & Associates
Address: 2445 Franklin Road
Bloomfield Hills MI 48302
Phone Number: 248-334-5000
Fax Number: _____
Email address: xboagerts@bogaerts.us

5. Required Attachments

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

6. Project Information

Address/Location of the property: 219 Elm Street
Birmingham MI 48009
Name of development: All Seasons of Birmingham 2
Sidwell #: 19-36-227-028
Current Use: Business / Office
Proposed Use: Senior Independent Living Apartments
Area of Site in Acres: 0.35 ac.
Current zoning: MU-3
Is the property located in the floodplain? no
Name of Historic District Site is Located in: n/a
Date of Historic District Commission Approval: n/a

Date of Application for Preliminary Site Plan: _____
Date of Preliminary Site Plan Approval: _____
Date of Application for Final Site Plan: 9/25/20
Date of Final Site Plan Approval: TBD
Date of Application for Revised Final Site Plan: _____
Date of Revised Final Site Plan Approval: _____
Date of Design Review Board Approval: _____
Will proposed project require the division of platted lots? no
Will proposed project require the combination of platted lots? no

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

1- 5 story tall Senior Independent Living Apartment building

25 residential apartments

10 attached garages + surface parking & carports

rooftop patio

8. Buildings and Structures

Number of Buildings on Site: 1

Height of Buildings & # of Stories: 60'9-1/2", 5 story

Use of Buildings: Senior Independent Living Apartment building

Height of Rooftop Mechanical Equipment: 3' - 8'4"

9. Floor Use and Area (in Square Feet)

Proposed Commercial Structures:

Total basement floor area: n/a

Number of square feet per upper floor:

Total floor area:

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

Open space:

Percent of open space:

Office Space:

Retail Space:

Industrial Space:

Assembly Space:

Seating Capacity:

Maximum Occupancy Load:

Proposed Residential Structures:

Total number of units: 25

Number of one bedroom units: 0

Number of two bedroom units: 25

Number of three bedroom units: 0

Open space: n/a

Percent of open space: n/a

Rental units or condominiums? Rental Units

Size of one bedroom units: n/a

Size of two bedroom units: 1191 sf - 1682 sf

Size of three bedroom units: n/a

Seating Capacity: n/a

Maximum Occupancy Load: n/a

Proposed Additions:

Total basement floor area, if any, of addition: n/a

Number of floors to be added:

Square footage added per floor:

Total building floor area (including addition):

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

Open Space:

Percent of open space:

Use of addition:

Height of addition:

Office space in addition:

Retail space in addition:

Industrial space in addition:

Assembly space in addition:

Maximum building occupancy load (including addition):

10. Required and Proposed Setbacks

Required front setback: 0'-5'

Required rear setback: 20'

Required total side setback: 0'

Side setback: 0'

Proposed front setback: 0'-5'

Proposed rear setback: 38'+

Proposed total side setback: 2'

Second side setback: 1'

11. Required and Proposed Parking

Required number of parking spaces: 12

Typical angle of parking spaces: 90 degree

Typical width of maneuvering lanes: 22'

Location of parking on site: rear yard

Location of parking off site: on adjacent site

Number of light standards in parking area: 0. Wall sconces only

Screenwall material: brick

Proposed number of parking spaces: 31 + 5 offsite

Typical size of parking spaces: 9' x 20'

Number of spaces <180 sq. ft.: 0

Number of handicap spaces: 2. 1 surface, 1 garage

Shared parking agreement? 5 spaces on ASoBham 1

Height of light standards in parking area: n/a

Height of screenwall: 3'

12. Landscaping

Location of landscape areas: _____
Small islands in rear yard _____

Proposed landscape material: _____
see attached plan _____

13. Streetscape

Sidewalk width: 10' approx. _____
Number of benches: 2 _____
Number of planters: 2 _____
Number of existing street trees: 4 _____
Number of proposed street trees: 5 _____
Streetscape Plan submitted? no _____

Description of benches or planters: _____
see attached _____

Species of existing trees: _____

Species of proposed trees: TBD _____

14. Loading

Required number of loading spaces: n/a, Alley frontage _____
Typical angle of loading spaces: _____
Screenwall material: _____
Location of loading spaces on site: _____

Proposed number of loading spaces: _____

Typical size of loading spaces: _____

Height of screenwall: _____

Typical time loading spaces are used: _____

15. Exterior Waste Receptacles

Required number of waste receptacles: n/a, internal to building _____
Location of waste receptacles: _____
Screenwall material: _____

Proposed number of waste receptacles: _____

Size of waste receptacles: _____

Height of screenwall: _____

16. Mechanical Equipment

Utilities and Transformers:

Number of ground mounted transformers: 1 _____
Size of transformers (L•W•H): DTE switch cabinet + transformer _____
Number of utility easements: _____
Screenwall material: brick _____

Location of all utilities & easements: SE corner of site _____

Height of screenwall: 3' _____

Ground Mounted Mechanical Equipment:

Number of ground mounted units: 0 _____
Size of ground mounted units (L•W•H): _____
Screenwall material: _____

Location of all ground mounted units: _____

Height of screenwall: _____

Rooftop Mechanical Equipment:

Number of rooftop units: TBD _____
Type of rooftop units: HVAC + emergency generator _____

Location of all rooftop units: _____

Size of rooftop units (L•W•H): _____

Percentage of rooftop covered by mechanical units: _____

Height of screenwall: 3'4" - 9'3" _____

Distance from rooftop units to all screenwalls: _____

3' _____

Screenwall material: matches building materials _____

Location of screenwall: _____

17. Accessory Buildings

Number of accessory buildings: 0 _____
Location of accessory buildings: _____

Size of accessory buildings: _____

Height of accessory buildings: _____

18. Building Lighting

Number of light standards on building: 48 _____
Size of light fixtures (L•W•H): varies _____

Type of light standards on building: varies _____

Height from grade: varies _____

Maximum wattage per fixture: 32 or less _____
Light level at each property line: 0 - 0.1 _____

Proposed wattage per fixture: 32 or less _____

19. Site Lighting

Number of light fixtures: 0 _____
Size of light fixtures (L•W•H): _____
Maximum wattage per fixture: _____
Light level at each property line: _____

Type of light fixtures: _____
Height from grade: _____
Proposed wattage per fixture: _____
Holiday tree lighting receptacles: _____

20. Adjacent Properties

Number of properties within 200 ft.: 7 _____

Property #1

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

Property Description: _____

North, south, east or west of property? _____

Property #2

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

Property Description: _____

North, south, east or west of property? _____

Property #3

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

Property Description: _____

North, south, east or west of property? _____

Property #4

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

Property Description: _____

North, south, east or west of property? _____

Property #5

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

Property Description: _____

North, south, east or west of property? _____

Property #6

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

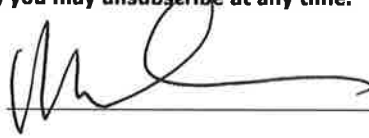
Property Description: _____

North, south, east or west of property? _____

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

By providing your e-mail 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.

Signature of Owner:



Date:

9/25/20

Print Name: MARK HIGHTEN - AUTHORIZED AGENT
& LAND DEVELOPMENT PROJECT MANAGER

Signature of Applicant:



Date:

9/25/20

Print Name: MARK HIGHTEN - LAND DEVELOPMENT
PROJECT MANAGER

Signature of Architect:

N/A

Date:

Print Name:

Office Use Only

Application #: _____ Date Received: _____ Fee: _____

Date of Approval: _____ Date of Denial: _____ Accepted by: _____

All Seasons of Birmingham II Scorecard (ID:)

Project Address 219 Elm St Birmingham, MI, US

Note: The information on this tab is READ-ONLY. To edit this information, see the Credit Category tabs.



Integrative Process		Preliminary	Y	0 of 2	M	1	Verified	2
IPc	Integrative Process			0 of 2		1		2



Location and Transportation		Preliminary	Y	0 of 15	M	1	Verified	13
LTP	Floodplain Avoidance			Required			Verified	
<i>Performance Path</i>								
LTC	LEED for Neighborhood Development			0 of 15		0		
<i>Prescriptive Path</i>								
LTC	Site Selection			0 of 8		0		8
LTC	Compact Development			0 of 3		0		3
LTC	Community Resources			0 of 2		0		2
LTC	Access to Transit			0 of 2		1		



Sustainable Sites		Preliminary	Y	0 of 7	M	2	Verified	0
SSp	Construction Activity Pollution Prevention			Required			Verified	
SSp	No Invasive Plants			Required			Verified	
SSc	Heat Island Reduction			0 of 2		0		
SSc	Rainwater Management			0 of 3		0		
SSc	Nontoxic Pest Control			0 of 2		2		



Water Efficiency		Preliminary	Y	0 of 12	M	0	Verified	8
WEp	Water Metering			Required			Verified	
<i>Performance Path</i>								
WEc	Total Water Use			0 of 12		0		
<i>Prescriptive Path</i>								
WEc	Indoor Water Use			0 of 6		0		5
WEc	Outdoor Water Use			0 of 4		0		3



Energy and Atmosphere		Preliminary	Y	0 of 38	M	1	Verified	13
EAp	Minimum Energy Performance			Required			Verified	
EAp	Energy Metering			Required			Verified	
EAp	Education of the Homeowner, Tenant or Building Manager			Required			Verified	
<i>Performance Path</i>								
EAc	Annual Energy Use			0 of 29		0		11
<i>Performance and Prescriptive Paths</i>								
EAc	Efficient Hot Water Distribution System			0 of 5		0		
EAc	Advanced Utility Tracking			0 of 2		0		2
EAc	Active Solar-Ready Design			0 of 1		0		
EAc	HVAC Start-Up Credentialing			0 of 1		1		
<i>Prescriptive Path</i>								
EAp	Home Size			Required			Not Verified	
EAc	Building Orientation for Passive Solar			0 of 3		0		
EAc	Air Infiltration			0 of 2		0		
EAc	Envelope Insulation			0 of 2		0		
EAc	Windows			0 of 3		0		
EAc	Space Heating & Cooling Equipment			0 of 4		0		
EAc	Heating & Cooling Distribution Systems			0 of 3		0		
EAc	Efficient Domestic Hot Water Equipment			0 of 3		0		
EAc	Lighting			0 of 2		0		
EAc	High-Efficiency Appliances			0 of 2		0		
EAc	Renewable Energy			0 of 4		0		



Materials and Resources		Preliminary	Y	0 of 10	M	3	Verified	2
MRp	Certified Tropical Wood	Required					Verified	
MRp	Durability Management	Required					Verified	
MRc	Durability Management Verification	0 of 1		0			1	
MRc	Environmentally Preferable Products	0 of 4		0.5			0.5	
MRc	Construction Waste Management	0 of 3		1.5				
MRc	Material-Efficient Framing	0 of 2		1			0.5	



Indoor Environmental Quality		Preliminary	Y	0 of 16	M	2	Verified	5.5
EQp	Ventilation	Required					Verified	
EQp	Combustion Venting	Required					Verified	
EQp	Garage Pollutant Protection	Required					Verified	
EQp	Radon-Resistant Construction	Required					Verified	
EQp	Air Filtering	Required					Verified	
EQp	Environmental Tobacco Smoke	Required					Verified	
EQp	Compartmentalization	Required					Verified	
EQc	Enhanced Ventilation	0 of 3		0				
EQc	Contaminant Control	0 of 2		0			0.5	
EQc	Balancing of Heating and Cooling Distribution Systems	0 of 3		1			1	
EQc	Enhanced Compartmentalization	0 of 1		0				
EQc	Combustion Venting	0 of 2		0			2	
EQc	Enhanced Garage Pollutant Protection	0 of 2		1				
EQc	Low-Emitting Products	0 of 3		0			2	



Innovation		Preliminary	Y	0 of 6	M	0	Verified	1
INp	Preliminary Rating	Required					Verified	
INc	Innovation	0 of 5		0			1	
INc	LEED Accredited Professional	0 of 1		0				



Regional Priority		Preliminary	Y	0 of 4	M	0	Verified	0
RPC	Regional Priority	0 of 4		0				

Point Floors

The project earned at least 8 points total in Location and Transportation and Energy and Atmosphere

The project earned at least 3 points in Water Efficiency

The project earned at least 3 points in Indoor Environmental Quality

Total	Preliminary	Y	0 of 110	M	10	Verified	44.5
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Certification Thresholds Certified: 40-49, Silver: 50-59, Gold: 60-79, Platinum: 80-110

CITY OF BIRMINGHAM
~~VIRTUAL~~ REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, MAY 13, 2020

Held Remotely Via Zoom And Telephone Access

Minutes of the virtual regular meeting of the City of Birmingham Planning Board held on May 13, 2020. Chairman Scott Clein convened the meeting at 7:30 p.m.

A. Roll Call

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

Absent: Student Representatives Rachel Hester, June Lee

Administration: Jana Ecker, Planning Director
Eric Brunk, IT Manager
Nicholas Dupuis, City Planner
Laura Eichenhorn, Transcriptionist

Master Planning Team: Annmarie Erickson, Van Dyke Horn
Matt Lambert, DPZ
Sarah Traxler, McKenna

05-45-20

B. Approval Of The Minutes Of The Virtual Regular Planning Board Meeting of April 22, 2020

Mr. Williams stated that while the Chairman acknowledged his presence at 7:59 p.m., he joined the meeting at 7:49 p.m.

Motion by Mr. Williams

Seconded by Mr. Koseck to approve the minutes of the Virtual Regular Planning Board Meeting of April 22, 2020 as amended.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

05-46-20

C. Chairperson's Comments

Chairman Clein noted that people were likely dealing with challenges in every aspect of their lives as a result of the Covid-19 pandemic and concomitant Stay Home, Stay Safe guidelines. He stated that everyone experiencing these disruptions is doing so to promote the health and safety of their community. He took a moment to thank all medical personnel and first responders for their heroic efforts. He continued that all people still working in public-facing jobs in delivery, grocery, retail and along the supply chain also had his thanks for helping the community cope with current circumstances.

Turning his attention to the evening's meeting, Chairman Clein observed that the present Planning Board meeting was the second one occurring in a virtual space. He stated that the meeting was taking place under the guidance of the City administration and City Attorney to ensure compliance with Governor Whitmer's executive orders regarding virtual municipal meetings. He said it was his full intention to run the meeting in adherence with those orders, and to use the full capacities of technology to do so. Even so, he granted that there would likely still be some technical difficulties along the way. The Chair asked for the patience of all in attendance in light of the unusual circumstances, and laid out procedures for the evening's meeting.

Before Chairman Clein drew his statements to a close, he said there was one further matter he wanted to clarify for the public. Noting that there seemed to be some confusion regarding the charge of the Board, the Chair explained that:

- The Board solely exists to review proposed development projects within Birmingham, and does not solicit development projects for the City.
- Members of the public will see some projects come before the Board that they prefer, and some they do not prefer. Members of the public are always permitted to express their opinions to the Board regarding matters that come before the Board for review.
- Projects lawfully submitted and in compliance with City ordinance shall be approved by the Board, regardless of the potential personal preferences of any Board members. Doing otherwise would open the City to significant liability. The Board has no rights to prohibit a project that is lawful and complies with City ordinance.

With that clarification, the Chair concluded his statements. He asked Planning Director Ecker to review the evening's agenda.

05-47-20

D. Review Of The Agenda

There were no changes to the evening's agenda. Granted leave by the Chair, Planning Director Ecker took a moment to explain to the public how the 'raise hand' function works within the Zoom platform.

05-48-20

E. Unfinished Business

1. 35001 Woodward (Parking lots & Hunter House) – Revised Preliminary Site Plan & Community Impact Study Review to allow construction of a new 5 story mixed use building containing retail, office and residential uses.

Planning Director Ecker reviewed the item.

Mr. Williams said that “subject to deletion of the terms Hunter House and HH from the plan” should be added to the end of the proposed ninth condition.

Mr. Koseck said that the words Hunter House and HH should be replaced with a more generic description of what will be located in those areas of the building.

Mr. Williams agreed.

Motion by Mr. Williams

Seconded by Mr. Boyle to amend the motion made on April 22, 2020, to approve the Preliminary Site Plan for 35001 and 35075 Woodward by affirming conditions 1 through 8 and adding condition 9 to the approved motion as follows:

9) Approved plans include the first floor plan on sheet A101, with the revision date 4-3-20, subject to replacement of the terms “Hunter House” and “HH” throughout the report and the plans with a more generic designation of the planned use of the space.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

2. 219 Elm Street (vacant office building) - Request for Community Impact Study Review to allow construction of a new 5 story multiple family building.

City Planner Dupuis presented the item.

Mr. Williams shared concern about the lack of a dust, noise and debris plan given the planned five-story residential building across the street from 219 Elm which could be significantly impacted by this construction. Mr. Williams also noted that this development would increase stormwater runoff costs to every Birmingham resident if no stormwater mitigation initiatives are added. He stated that the City Commission would certainly want to see stormwater mitigation initiatives as part of this project.

City Planner Dupuis concurred with Mr. Williams. He explained that the development could potentially opt for a green roof as part of its LEED certification which would help with stormwater

mitigation. He said the developer could also pursue a number of other green infrastructure options for storm water mitigation including permeable pavement or making the proposed landscape feature in the rear of the building more functional. City Planner Dupuis said he included some of those options in his report on the Community Impact Study (CIS) in order to highlight some of the various options available to the developers for stormwater mitigation.

In reply to Chairman Clein, City Planner Dupuis confirmed that:

- Green infrastructure initiatives to mitigate stormwater runoff are not required by City ordinance or City engineering standards at this time.
- In light of the developer's request for two additional floors, some additional sustainability standards must be met beyond the usual requirements for a Birmingham development.
- By outlining the options for green infrastructure initiatives for stormwater mitigation, City Planner Dupuis is notifying the developer of one area through which they could satisfy some of the additional sustainability requirements for their development.

In reply to Mr. Koseck, City Planner Dupuis stated:

- In the Triangle District Overlay Standards, Article 3, independent senior living facilities are not a listed use. In reverting to the underlying zoning district of O2, independent senior living facilities are a permitted use with a special land use permit (SLUP).
- While not every building within the Triangle District Urban Design Plan (Triangle Plan) must be mixed use, building an exclusively residential building within the Triangle Plan area does not necessarily match the intent of the Triangle Plan.
- There are a number of standards the developer could meet in order to receive authorization to build an additional two floors. The CIS documents seemed to indicate that LEED Certification would be one of the standards the developer would like to meet.

In reply to Mr. Boyle, Planning Director Ecker stated:

- The City does require an updated CIS for the project. The applicant has been notified of various items such as a dust and debris plan, soil borings and a noise study that need to be updated within the submitted materials.
- The proposed building is a standalone building, entirely physically distinct from the neighboring All Seasons building. Residents of the proposed building would be able to utilize the amenities of the neighboring All Seasons building, and both buildings share an owner.

Mark Hyland, member of the applicant team, explained:

- The project will pursue LEED certification as one of the two ways they will qualify to add two extra floors to the building. Being so early in the development process the team has not yet determined how specifically they will meet the LEED certification requirements since there is such a broad range of ways to do so. They will be hiring an independent third-party company to review and approve their plans for achieving LEED certification later in the development process.
- The project team will submit all outstanding items pertaining to the CIS as soon as their contractors are able to complete the requisite studies. The team is waiting to submit the dust, noise, and debris mitigation plan until they know whether they will be granted the additional two floors, since the mitigation plan will shift based on the permitted height of the project.

- The building's units will be rentals.

Mr. Koseck cautioned that LEED certification is not granted by the U.S. Green Building Council (USGBC) until a project is completed. He said this fact causes some difficulty since the right to build extra floors would be partially predicated on the assumption that LEED certification will be granted, when it is actually impossible to know whether the certification will be granted until the project concludes. Mr. Koseck said that basing the granting of extra floors partially on the assumption of achieving LEED certification is an issue with the City's ordinance. He noted that the right to build two extra floors is a significant benefit, and cautioned the project's team to go above and beyond the bare minimum LEED certification standards in order to ensure that their project is certified once concluded.

Planning Director Ecker acknowledged that while LEED certification is not granted until a project's conclusion, developers have access to LEED certification worksheets that indicate the likely points they will gain towards LEED certification for various types of environmentally responsible architecture practices and resource management strategies.

Motion by Mr. Boyle

Seconded by Mr. Williams to accept the Community Impact Study as provided by the applicant for the proposed development at 219 Elm St. – All Seasons – with the following conditions:

- 1. The applicant must submit an updated environmental/soil assessment prior to Final Site Plan;**
- 2. The applicant must submit details as to how they plan to mitigate dust, noise, and debris during construction prior to Final Site Plan;**
- 3. The applicant must submit a noise impact study to complete the community impact study prior to Final Site Plan;**
- 4. The applicant must contact the Department of the Interior or SHPO to make a determination on the historic eligibility of the property prior to Final Site Plan; and,**
- 5. The applicant must provide all details on the fire suppression system to the Fire Department for review prior to Final Site Plan.**

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

Samuel Beznos, member of the project team, and Mr. Hyland told the Board that typically fire suppression drawings are submitted prior to permitting. Mr. Beznos asked the Board if it could be a requirement to submit the fire suppression drawings prior to receiving a building permit, instead of being required to submit them prior to Final Site Plan.

Chairman Clein said that the fifth condition of the motion requires that the project team submit the necessary information directly to the Fire Department. He said that if the Fire Department

allows the project team to submit the fire suppression information before permitting that the requirement of the motion would be satisfied. He told the project team to work through the Fire Department and other relevant City Staff regarding those details.

3. 219 Elm Street (vacant office building) - Request for Preliminary Site Plan Review to allow construction of a new 5 story multiple family building.

City Planner Dupuis presented the item.

Planning Director Ecker said the Zoning Ordinance describes how the City calculates the amount a building project must contribute to Birmingham's parking facilities funds in order to qualify for extra building floors.

Mr. Share said he agreed with Mr. Koseck's earlier points about the significance of being granted two extra floors based on the assumption of future LEED certification. He said at this point in the process he expects to see a clear demonstration of how the building would qualify for the two extra floors. Mr. Share stated he would be very disturbed if every non-smoking building within a quarter-mile of a bus stop and within a mile of a train station met one of the requirements to qualify for an extra two floors. He said he was uncomfortable with the prospect of approving this preliminary site plan with little sense of how the project team would meet the requirements of the ordinance.

Mr. Williams asked Planning Director Ecker what recourse the City has if a building, granted two extra stories predicated on the assumption of LEED certification, does not ultimately receive LEED certification at the conclusion of the project.

Planning Director Ecker said that the City requires a letter from the project team stating that they will achieve some level of LEED certification, and requires the submission of a checklist to demonstrate the likely points gained towards LEED certification based on different aspects of construction. She said the City has not encountered a case where a building, granted two extra stories predicated on the assumption of LEED certification, has not received LEED certification once the project was completed.

Mr. Williams said that he agreed with Mr. Koseck's previous point that this is an issue with the City's ordinance, and that this ordinance should be reviewed by the City. He said that the developer and the Board should know the consequences if two of the five requirements are not met for gaining an extra two stories once the building has been constructed.

Planning Director Ecker said the City would hold a bond and the project team would have to go back and make changes to the building in order to receive LEED certification. She said there are many different changes that could be made to a completed building in order to receive LEED certification.

Chairman Clein noted that this building will be subject to a SLUP that the City Commission has the right to condition as it sees fit.

Mr. Williams said he anticipates that the City Commission would have the same questions he, Mr. Share, and Mr. Koseck have raised.

Chairman Clein agreed.

Ms. Whipple-Boyce noted that contrary to the report, the proposed building would be another full story taller than the neighboring All Seasons building.

In reply to Ms. Whipple-Boyce, Planning Director Ecker stated that the two extra floors being proposed do not need to be stepped back from the alley like they would if they were adjacent to a street.

Ms. Whipple-Boyce said the alley in this case functions more like a street, and noted that the elevation being proposed is quite large. She said it was unfortunate that the two upper floors would not have to be stepped back in this case.

Mr. Jeffares concurred with Ms. Whipple-Boyce, saying that even the three stories of the neighboring building feel imposing from different locations along street level. He noted that Article 7, section 7.27 (2) of the Zoning Ordinance states "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." Mr. Jeffares noted that the Board in the past has approved tall buildings near residential areas, but specified that this building is ~~must~~ **much** closer to residential areas than many of the Board's past approvals. He continued that while the building itself is not required to have mixed uses according to the Triangle Plan, permitting this building to be entirely residential means that a large portion of Maple, into Elm, would be occupied by solely residential buildings. He shared skepticism that such circumstances meet the intent of the Triangle Plan.

Chairman Clein said he was glad to see residential options being provided for seniors who want to downsize, remain in Birmingham, and live independently. The fact that if a resident parks in the rear of the building they would have to walk all the way around to the front to enter did give him pause given the likely average age of the residents. In concluding, Chairman Clein remarked that the project team seemed to possibly be trying to fit too much on too small of a lot, and that he was concerned it would not work.

Mr. Hyland responded to Board comments, noting:

- There would be a door accessible to the rear parking lot via the northern stairwell which would bring residents into the lobby by elevator.
- The planned building would be smaller than All Seasons in terms of square footage, even though it would be taller.
- The single-story office buildings adjacent to the planned building are in an area zoned for three-story attached single family. He said he anticipates that three-story townhouses will be built there in the near future. Given that, he said that stretch is likely to become at least three stories along that entire frontage.
- The project team is currently working on a building in West Bloomfield that is pursuing LEED certification. He said that project is giving them experience in the requirements for LEED certification.

- It is in his team's best interest to achieve LEED certification since it will be to their detriment they do not.

Mr. Koseck said it is a problem with City ordinance that residential units on the first floor of buildings can be built at the zero lot line. He said he could not imagine any residents who would be comfortable with the lack of privacy, and that he mostly sees the blinds closed on other first floor residential units at the existing All Seasons building. Mr. Koseck ventured it would have benefitted the project team more if they had put some of their public amenities around the periphery of the first floor, both in terms of resident preferences and in terms of activating the street. Listing Boston and New York as contrasting examples to Birmingham, Mr. Koseck noted that in those cities first floor residential is either set back, has porches, or has other ways of separating the residence from the immediate street.

Given that the plan proposes to have the residents of 219 Elm use the amenities of the neighboring All Seasons, Mr. Koseck said he did not see sufficient effort to provide ready access between the two buildings. Stating that he sees a lack of careful attention to details within the plan, Mr. Koseck noted for instance that there is a door on the north side of the building that is not required for egress, and that the trash room and fire pump rooms are along the south side of the first floor, which he stated is a fairly prominent elevation. He noted that Ms. Whipple-Boyce raised similar concerns about the view of the building that would be afforded the traffic that heads northbound on Elm Street.

Mr. Koseck concluded by saying he shared his other Board members' concerns about the proposed height, noting that even if the square footage of the proposed building is technically less than the All Seasons building, it will still likely appear substantially larger.

Mr. Hyland responded to Mr. Koseck, stating that the project team has had no problem leasing other first floor residential units since it is a desirable area and the units are high quality. He continued that the trash and fire pump rooms are along the alley so as to minimize pedestrian and car exposure to the area, and noted that the trash room was put inside so that there would not be a dumpster in the alley.

Mr. Beznos said that the aim of the proposed building is to provide a much more independent living environment than All Seasons, and that connecting the two buildings would minimize the difference the project team hopes to convey. He explained that those living in the proposed building would be offered access to exclusive events held at All Seasons once or twice a month, and that while they would have access to other All Season amenities the goal is not to overemphasize the connection between the two developments.

In addressing Mr. Koseck's concern about the first floor residential, Mr. Beznos said that they will be designed to look like individual townhomes and will be more private than the current first floor residential in the neighboring All Seasons building. Access to the first floor residential can be either from the street or from the interior corridor. He said the project team anticipates those units will be very attractive as a rental option.

Mr. Williams stated that when the neighboring All Seasons building was built, the Planning Board at the time required that the height at the south end taper down to three stories so as not to be

too imposing next to the residential area. He said he was similarly uncomfortable with the proposed height of five stories for this building, especially since the five stories would also be adjacent to the residential area.

Mr. Jeffares agreed with Mr. Williams, stating that the existing three stories of the neighboring All Seasons already have a significant impact on the neighboring residential. He said that if a five story building is built at 219 Elm that the sun might disappear beyond the top of the building in the mid-afternoon for the neighboring residential homes.

Mr. Hyland stated the project team would be able to provide most of the LEED certification plans to the Board by Final Site Plan. In reply to a question from Mr. Jeffares, Mr. Hyland said the project team has not met with any of the residential neighbors to solicit feedback on the design.

Chairman Clein stated that the proposed building does not abut any single family residential, and that the homes Mr. Williams and Mr. Jeffares have expressed concern for are further to the east of the development.

Mr. Boyle said he suspected that the single family residential units to the east of the proposed building would not lose evening sunlight given their distance from 219 Elm. He observed that the proposed building would be surrounded immediately by other tall buildings and commercial buildings.

Ms. Whipple-Boyce stated that the Triangle Plan proposes to have taller buildings along Woodward with buildings diminishing in height more towards the center of the Triangle District and on the smaller streets. She said that putting this five story building adjacent to the neighboring three story building seems to disrupt the Triangle Plan's intent. She said that while she understood that if the building met the requirements to qualify for the two additional floors that the project team would be within their rights to build them, she said she was not sure that would necessarily be a positive outcome for the area.

Mr. Koseck said he would like to see the entrance receive greater emphasis in the plans. He said he was not suggesting in his earlier comments that 219 Elm and the neighboring All Seasons building should be linked, but just that there should be a more efficient and aesthetically pleasing way to move from one building to the other. Mr. Koseck said that the blank wall of the north elevation showed no care or design sensitivity, and said he would like to see that wall pushed back with windows added. He said he was not concerned that the proposed building would impact the nearby single family residential because he thought they were far enough away.

Xander Bogaerts, architect for the project, said he wanted to address Mr. Koseck's concern with the north elevation. He explained that the building is prohibited by ordinance to have any doors or openings on the north wall. He said the project team would look at the north elevation again because the comments are valid that more adornments are needed. Mr. Bogaerts said he would review the south elevation as well. He continued that his mother lives in a first floor residential unit on Maple and enjoys being able to watch the street from her window. He said that the first floor residential units being offered would attract that type of person.

Mr. Boyle and Mr. Jeffares suggested that the developer should take time to work with City staff and resolve some of the concerns they heard from the Board during the evening's conversation.

Motion by Mr. Boyle

Seconded by Mr. Jeffares to postpone discussion of the preliminary site plan review for 219 Elm until June 10, 2020.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

Motion by Mr. Williams

Seconded by Mr. Share to suspend the rules for June 10, 2020 to allow review of the preliminary site plan for 219 Elm.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

Chairman Clein addressed the project team, stating that even though there was a lot of feedback the Board and Birmingham are very pleased to have the team's developments in the City. He asked them to take the Board's comments to heart and said the Board looked forward to meeting with the project team again soon.

05-49-20

F. Study Session Items

1. Debrief & Discussion on Draft Master Plan Review Process

Chairman Clein asked his fellow Board members to reflect on what they viewed as the successes or drawbacks of the first two meetings. He said he also wanted to clarify what the purpose is of this new round of public engagement, saying it could be to hear from the public in general, to seek certain feedback from the public, or to have the Board express its opinions on the draft master plan to the public.

Mr. Williams said that while the first meeting was relatively successful, the second meeting was less useful. He said the process is still lacking in that:

- It proposes to revise Birmingham neighborhood structures without having gained the feedback of those who currently participate in the neighborhood associations.
- The Planning Board has not had a meeting with the new City Commission to receive direction as to this draft master plan review. The Board and the Commission should have a substantive discussion regarding what the Board's focus should be before the public is

re-engaged. The master plan review process should be the only topic discussed at the Board and Commission's joint meeting in June 2020.

- No one can predict what the long-term impact of the Covid-19 pandemic will be on the City. Without a pause and an acknowledgement of the fact that the pandemic could yield significant changes, the plan could put forth recommendations that no longer have use or relevance in the new climate. For this reason, taking some time to try and figure out what the potential effects are and how those might impact the plan would be prudent.

Mr. Koseck noted his experience facilitating master plan projects for other groups, and said he felt sympathy for Birmingham's master planning team given the various pauses and the change at the Commission level they experienced. He said projects like these should have momentum and that trying to do it without it is undoubtedly challenging. Mr. Koseck continued that he was not sure that the guiding principles set forth in the draft master plan adequately represented the interests and goals of Birmingham residents. He said it would be beneficial if the Board and the Commission had a discussion to vet the guiding principles. He said that then conversations about the master plan proposals should be held in light of the guiding principles, and judged based on whether they adequately put those guiding principles into practice.

Ms. Whipple-Boyce said the largest difficulty she identified with the second meeting was the conflict between the Board's goal of keeping the discussion focused on the macro level and the public's desire to discuss the details of the draft. She said she anticipates that as the Board enters into more conversation about the neighborhoods, given people's passions regarding the topic, it will be even more difficult to keep the conversation at the macro level. She said it would be worthwhile to find strategies to navigate that challenge.

Planning Director Ecker stated that she has requested that the master plan be the only topic at the June 2020 joint Board-Commission meeting. She said one additional topic is being considered at this time. Planning Director Ecker said that one way of keeping the discussions running is to remind everyone that the master planning team is recording all of the comments in great detail, and that when a topic is reiterated by a member of the public the Board can assure them that the specific topic or issue has been heard, noted, and will be taken into account. In that way the Board can avoid getting mired in repeating their response to a subject that has already been addressed, or will be addressed in the second draft of the master plan.

Chairman Clein said that one of the most significant issues he perceived during the second meeting was that the Board did not seem to have a shared understanding of the intent of these meetings. He said his personal understanding of the goal of the draft master plan review meetings is solely to hear from the public, with no need for Board comment during the process. He asked his fellow Board members to opine on the purpose of these review meetings. He stated his belief that it is more correct to receive public feedback and to decide later how to integrate it, rather than having the Board tell the public the Board's opinions of the draft master plan.

Mr. Boyle said that the summary of the draft master plan presented to the public should be much broader than it has been. Mr. Boyle offered that the summary could lay out where Birmingham is today, where the City would like to see itself in the future, and what issues arise between those two conceptions. The Board should then solicit feedback from the public on how best to address those issues. Providing more examples, Mr. Boyle said the broad issues could be whether the City

has enough housing, what the public thinks about downtown, what the public thinks about mixed use, and whether the Triangle and Rail districts should be developed in the way the City is currently doing.

In reply to Chairman Clein, Mr. Boyle said the Board should listen to the public's input on these topics, and that the Board need not express its own opinion during these meetings.

In reply to Mr. Williams, Mr. Boyle said the list of issues to be discussed with the public should be set by the Board, City staff, and the Commission.

City Planner Dupuis asked if identifying the issues to be discussed would not be, in some ways, reverting to what the charrette discussions had already accomplished. He said he was asking the question for his edification as a new City Planner.

In reply to City Planner Dupuis, Mr. Boyle said the point was fair, but might still be one of the better ways of getting the public engaged.

Chairman Clein said the solution could be that the public is presented with the draft's recommendations in a broad way, and is asked to comment on those rather than on specific sections from the draft.

Mr. Jeffares voiced his agreement with Chairman Clein's proposed solution.

Mr. Koseck said it could be beneficial to the process to solicit feedback from the public during some of the Zoom meetings since people have more time and might be more willing to speak during a virtual meeting than in public. He said he also wondered whether the master planning team felt they were getting quality feedback from a broad enough swath of people, rather than the same people repeatedly.

Ms. Traxler said the master planning team is eager to begin revising the draft in order to address some of the common concerns they have been hearing. She said the presentations to the public can be shortened into executive summaries of the plan.

Mr. Lambert said he has been unsure whether the City would prefer that revisions happen immediately based on the feedback that has been provided so far, or whether the master planning team should gather all the feedback and begin its revisions once the feedback process is complete. Mr. Lambert noted that the master planning team has had opportunity over the course of the past year to get a broad range of feedback from the public, and that many of the recommendations in the draft reflect those conversations. Given that, he said the master planning team wants detailed feedback from the Board itself, since they are dealing with these kinds of planning issues within the City most regularly.

Chairman Clein stated that certain members of the City Commission do not believe that the Board has received nearly enough public feedback regarding the draft document. He stated he fully agrees with Mr. Williams' previous statement that the Board and the Commission need to meet in order to remedy the fact that the Board up to this point has received no direction from the current Commission in terms of how these reviews should be conducted. He said he would like

to hear the Commission's input and their opinions on the purpose of this first round of draft reviews. Chairman Clein suggested that the near future might be an appropriate time for the Board to meet with the master planning team in order for the Board to provide input on the parts of the draft that have been covered so far. He expressed hope that would allow the team to make those revisions throughout the draft so that when the public review returns the document will have incorporated and addressed some of the Board's concerns and comments.

Mr. Share said it was important to note that public engagement will always be complex, as there is no perfect way to streamline the process. He said he also thought it would be a loss if the Board did not have some time during these public review meetings to express their opinions about the draft. He suggested that the public could speak first for an hour or ninety minutes, and that then the Board could speak for an hour in reply. He said if these conversations can be kept as broad as possible, with some limitations on the length and frequency of comments allowed to each member of the public, then this process can occur relatively efficiently.

Mr. Williams concurred with Mr. Share. He said allowing the Board to express its comments during the meeting might necessitate that a few more meetings scheduled, but that would be better than no one having a clear sense of the Board's opinions at the end of the draft review. He recommended that Board members determine during their June 2020 meeting a potential template for the rest of the draft review meetings. He said he liked Mr. Share's proposal of allowing the public to speak first for a period of time and then allowing the Board to express its views and respond. He said once the Board decides on a potential template it should be proposed to the Commission at the joint Board-Commission meeting in June 2020 for hopeful approval.

Chairman Clein said that would require the Board and the master planning team to be very concise in terms of what the public is being invited to comment on during the review sessions. He also repeated Mr. Williams' comment that the Board would have to solicit final approval from the Commission for any review session template the Board might propose.

Mr. Jeffares noted the potential for the Zoom technology to allow many more ways of capturing public comment, and said he hopes the Board will find a way to take advantage of that benefit during this time.

In reply to Chairman Clein, Ms. Erickson said she believes the Board is headed in the right direction and commended them for their attention and care towards getting public comment. She agreed with Board members' previous comments that these presentations and subsequent feedback sessions need to be made both concise and more macro-oriented. She also noted that the Board should remember and remind the public that there will be a whole additional draft to review in the future as well. Agreeing that there are a number of issues that recur repeatedly during these discussions, Ms. Erickson said a list of those issues should be compiled so that Chairman Clein can assure the public that the issue has been previously raised and noted, and will be considered in the process of revising the draft. She said that would be one way the meetings can be kept efficiently moving.

2. Discussion on Use of Virtual Meetings

Chairman Clein said virtual meetings were proving far less efficient than meeting in person, and stated that the number of agenda items should be limited to approximately three items during this time.

In reply to Mr. Williams, Planning Director Ecker listed the four agenda items planned for the May 27, 2020 Board meeting.

Mr. Williams suggested that since the June 10, 2020 Board meeting has been made a hybrid meeting, one of the May 27, 2020 agenda items should be moved to the June 10, 2020 agenda. He said the first May 27, 2020 agenda item alone will consume a substantial amount of time that evening. He said he completely agreed with Chairman Clein that the meetings should be limited to three items. He continued that he was not sure how much the Board would accomplish during its June 10, 2020 master plan draft review session since that will still be prior to receiving direction from the Commission during the joint Board-Commission meeting on June 15, 2020.

Mr. Share agreed that fewer agenda items are better while the meetings are being held virtually. He expressed doubt that the Board would get through the rezoning application, CIS and preliminary site plan review for 469-479 S. Old Woodward during one meeting, and said that made it even less likely that the Board would be able to get to the fourth item scheduled for that evening as well.

Mr. Boyle said he agreed that the number of agenda items should be limited so that each item can receive the attention it merits.

Mr. Koseck said limiting the number of agenda items should depend on the complexity of the topics.

Planning Director Ecker told the Board that the notices for 770 S. Adams had gone out. She said if the Board consensus was to delay the final site plan review until June 10, 2020, she could notify the applicant and annotate the item on the agenda as being rescheduled to June 10, 2020. Then, during the May 27, 2020 meeting, the Board will vote to move the item to their June 10, 2020 meeting.

Motion by Mr. Williams

Seconded by Mr. Boyle to limit Planning Board virtual meeting agendas to no more than three substantive items for any particular meeting as long as the Board is exclusively meeting via Zoom and telephone technology.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

05-50-20

G. Miscellaneous Business and Communications:

a. Communications

b. Administrative Approval Correspondence

c. Draft Agenda for the next Regular Planning Board Meeting (May 27, 2020)

- Rezoning application for 469-479 S. Old Woodward
- CIS Review for a five story building at 469-479 S. Old Woodward
- Preliminary Site Plan review for a five story building at 469-479 S. Old Woodward

d. Other Business

Mr. Share said it would be prudent for the City to consider using Zoom for Planning Board meetings beyond the expiration of the Governor's Order to do so. He said this would help maintain the health and safety of both Board members and members of the public who fall into the high-risk category for Covid-19.

Chairman Clein said Mr. Share's point was well-stated.

Planning Director Ecker acknowledged the validity of Mr. Share's comments, and said the City was considering some changes to future City meeting protocol.

05-51-20

H. Planning Division Action Items

a. Staff Report on Previous Requests

b. Additional Items from tonight's meeting

05-52-20

I. Adjournment

No further business being evident, the Chairman adjourned the meeting at 10:56 p.m.

Jana L. Ecker

Planning Director

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, JUNE 10, 2020**

Held Remotely Via Zoom And Telephone Access

Minutes of the regular meeting of the City of Birmingham Planning Board held on June 10, 2020.
Chairman Scott Clein convened the meeting at 7:32 p.m.

A. Roll Call

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Daniel Share, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Members Jason Emerine, Nasseem Ramin; Student Representative Rachel Hester (joined at 7:36 p.m.)

Absent: Student Representative June Lee

Administration: Jana Ecker, Planning Director
Eric Brunk, IT Manager
Nicholas Dupuis, City Planner
Laura Eichenhorn, Transcriptionist

Master Planning Team: Robert Gibbs, Gibbs Planning Group
Sarah Traxler, McKenna

06-60-20

B. Approval Of The Minutes Of The Regular Planning Board Meeting of May 27, 2020

Mr. Share recommended two changes:

- On page two, last paragraph, third line, the superfluous 'f' in front of 'and' should be removed.
- On page five, in the last paragraph, 'rezoning request' should be changed to 'findings of fact'.

Mr. Williams requested that the word 'for' on page six, third paragraph, fifth line be changed to 'on'.

Motion by Mr. Boyle

Seconded by Mr. Share to approve the minutes of the Regular Planning Board Meeting of May 27, 2020 as amended.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

06-61-20

C. Chairperson's Comments

Chairman Clein welcomed everyone to the meeting and reminded everyone that the meeting was being held under the guidance of the City Attorney and City administration to ensure compliance with Governor Whitmer's executive orders. Chairman Clein then reviewed procedures for the meeting.

Planning Director Ecker reviewed for the public the 'raise hand' function within Zoom.

06-62-20

D. Review Of The Agenda

There were no changes to the agenda.

06-63-20

E. Unfinished Business

1. **219 Elm Street (vacant office building)** - Request for Preliminary Site Plan Review to allow construction of a new 5 story multiple family building **(Postponed from May 13, 2020).**

City Planner Dupuis reviewed the item.

Mark Highlen, member of the applicant team, Samuel Beznos, member of the applicant team, Xander Bogaerts, architect, and Mark Abanatha, architect, spoke on behalf of the project.

Chairman Clein said the design of the planned pedestrian path leading from the parking lot of 219 Elm into the first All Seasons' parking lot would need to be clear, efficient and barrier-free if the project moves onto final site plan review. He said the path should also be altered so that it ends at a more logical point on the All Seasons I site, rather than ending in the All Seasons I's parking lot.

In reply to a different question from Chairman Clein, Mr. Highlen confirmed that will be an accessible, barrier-free path from the accessible space by the north stairwell into the building's lobby.

Chairman Clein asked Mr. Highlen why the team planned to seek a variance for a zero foot setback on the north property line.

Mr. Highlen stated they would be seeking the variance in order to provide a certain size unit and to maximize the space they were using as part of this infill project. He said the team was hoping that since they would be using fire-rated windows that they would be granted a zero foot setback.

Mr. Highlen stated that if the BZA does not grant the variance that the applicant team would be able to alter their plans to adhere to the ordinance's setback requirements.

In reply to Mr. Boyle, Planning Director Ecker explained that Consumers Energy has been adding required utility fixtures to construction projects very late in the review process, and that the developers often have no choice as to where those fixtures will be installed on the building. She said that moving forward the City is requiring property owners to add screening to those fixtures.

Motion by Mr. Williams

Seconded by Mr. Share to approve the Preliminary Site Plan for 219 Elm St. – All Seasons 2 – with the following conditions:

- 1. The applicant must submit plans showing the side setback at the NORTH at a minimum of 10 ft. or obtain a variance from the Board of Zoning Appeals;**
- 2. The applicant must complete the requirements of 3.08 (E) to receive additional building height;**
- 3. The applicant must submit a rooftop plan showing a detailed rooftop use including any proposed structures;**
- 4. The applicant must provide construction details on the proposed parking lot screenwall;**
- 5. The applicant must submit details on all proposed RTUs and details on the proposed screen wall to ensure the RTUs are fully screened from public view;**
- 6. The applicant must submit material specifications, samples, and glazing calculations for the proposed building at Final Site Plan review;**
- 7. The applicant must submit details on the types and placement of all proposed light fixtures, as well as a photometric plan showing illumination levels at all property lines; and,**
- 8. The applicant comply with the requests of all City Departments.**

Chairman Clein stated he was supportive of the project's aim of adding diversity to Birmingham's housing stock and welcomed the development team back to the Birmingham community for another project. He continued by noting that the Planning Board provides its opinion to the BZA regarding requested variances with the understanding that those opinions are not legally binding. Chairman Clein said that in the case of this project's planned variance request for the north property line it seemed like the request was economic in origin and had little other justification. He said the development team must work with City staff and the BZA to find the best way forward regarding that issue. Chairman Clein concluded by stating that he would be voting in support of the motion on the table.

Mr. Koseck said he lacked enthusiasm for the project. He said that while building height was a non-issue for him, he was disappointed by what he saw as the lack of contextual sensitivity in design given that the adjacent lot has the same owners. Mr. Koseck said that while that issue would not cause him to vote down the motion, he did see it as a matter worth mentioning. Mr. Koseck said he was also dismayed that material choices for the building's exterior seemed to greatly emphasize cost-saving over aesthetic considerations, citing the planned cement-board siding and scabbed-on brick. Mr. Koseck continued that while he largely likes the existing All Seasons I building, he has found its design somewhat monotonous. In light of that design

monotony, he said he was having difficult time becoming enthused about the extension of those design choices onto an entirely different lot. He cited The Village at Midtown Square in Troy, Michigan as an example of the repetitive aesthetic he would like this project to avoid. In light of this, Mr. Koseck recommended that in advance of the final site plan review the applicant team find ways to design a related but differentiated project from the All Seasons I building.

Seeing no further Board comment, Chairman Clein welcomed public comment.

Douglas Fehan, representative of the Hazel Chestnut Forest Homeowners Association, said he shared many of Mr. Koseck's concerns. His perspective was that the project's design choices are low-cost and designed to maximize profit above all else. Mr. Fehan said that while members of his homeowners association are pro-development, the proposed design of this particular project is so budget-oriented that it seemed frankly disrespectful to the project's residential neighbors. Mr. Fehan contrasted the proposed plans with the All Seasons I building, saying that the latter is a much better example of the kind of design consideration the Triangle District deserves. Mr. Fehan said he would be supportive of the Board allowing this project to move forward with the understanding that the development team should endeavor to remedy some of its design issues. He said his homeowners' association would be active participants in discussions of this project moving forward.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

Chairman Clein stressed to the applicants that projects in Birmingham are most successful when they integrate and reflect feedback received from the public and the Planning Board. He strongly encouraged the applicant team to do that in this case. He said the project would also benefit from meeting with the project's neighbors to solicit more input, and said he was looking forward to seeing the project's evolution based off of these discussions.

06-64-20

F. Final Site Plan & Design Review

1. **770 S. Adams (Vacant Medical Building)** – Request for Final Site Plan and Design Review for new 5 story mixed use building (**Postponed from May 27, 2020**).

Mr. Williams recused himself at 8:36 p.m. citing a conflict related to this project.

Ms. Ramin served in Mr. Williams' place for consideration of this item.

Planning Director Ecker reviewed the item.

Ms. Whipple-Boyce commented that she has professional experience using the Aspen Wall Sconces by TechLighting in projects and that the fixtures emit a warm, ambient glow. She said she thought these fixtures would absolutely be appropriate for 770 S. Adams and should not cause any issue in terms of excess brightness.

Michael Poris, architect, Ross Hoekstra, architect, and John Shekerjian, developer, were present on behalf of the project.

In reply to Mr. Poris, Planning Director Ecker said she suspected that the photometric plans included the pedestrian street lighting in the light measurements of the Aspen Wall Sconces, which resulted in the higher light levels.

Mr. Poris agreed with Planning Director Ecker, stating that the Aspen Wall Sconces are LED and low-wattage and should not be emitting nearly as much light as the photometric plans state. He agreed with Ms. Whipple-Boyce's description of their ambient effect. Mr. Poris explained that the parking on the ground floor and below grade would be exclusively for the condominium owners. The alley would have an accessible door and seven or eight parking spaces for the retail businesses in the building. Mr. Poris also said the applicant team would find a way to align their canopy size with City requirements, either through seeking an exception to the ordinance from the Commission or through reducing the canopy size.

In reply to Mr. Share, Mr. Shekerjian stated that there would be signage outside the residents' parking entrance off Adams stating that it was for residents only. Mr. Poris added that there would be ample room for a vehicle to safely back out of that entrance should a non-resident vehicle mistakenly attempt to enter the resident parking off Adams.

In reply to Ms. Whipple-Boyce, Mr. Poris stated that there would be sufficient parking for the residents' guests in the residents' parking area. He noted that the required parking for the building is 81 parking spaces and that the plans provide over 100 parking spaces.

Mr. Koseck said he would be moving to approve the final site plan and design review for this project because he was pleased with how the plans have evolved as the project went through the City's review process. He said the site is difficult and that the plans for the planned building are of high quality. Mr. Koseck said that even though it is a large building architectural techniques were proposed that would create visual scale and rhythm along the building's exterior. He said he would like to see the All Seasons II project use similar architectural techniques to the ones being proposed for 770 S. Adams. Mr. Koseck stated he was supportive of the project team pursuing a size exception from the Commission for their front canopy because he said it would break the facade plane and create some pedestrian scale.

Motion by Mr. Koseck

Seconded by Mr. Share to approve the Final Site Plan and Design Review for 770 S. Adams with the following conditions:

1. The Planning Board approves the encroachment of the balconies on the southern elevation of 2' into the public via, but the applicant will be required to obtain approval of the City Commission for the 4' projection of the canopy into the public right of way along S. Adams;

- 2. The applicant provide a roof plan for the sixth floor roof at the SW corner of the building and specification sheets for all rooftop mechanical equipment to verify that all screening requirements have been met;**
- 3. The applicant obtain approval from both the City Arborist and the Engineering Division for the placement of the street trees and pedestrian lighting along S. Adams or reconfigure to provide the appropriate spacing;**
- 4. The applicant revise the photometric plan to include all cut off and not cut off fixtures and to provide 1.5 fc or less of light 5' from the property lines on all elevations or obtain a variance from the Board of Zoning Appeals;**
- 5. The applicant provide details on the joint pattern and variation of finish for the via surface, along with specification sheets on the proposed bollards; and,**
- 6. Compliance with the requirements of all departments.**

Mr. Boyle said the Board's relatively minimal discussion regarding this item stemmed from the fact that this was one of the best plan submittals the Board has reviewed within the past decade.

Chairman Clein heartily concurred.

Mr. Boyle continued that the applicant's submission provided a lot of the information that the Board usually has to extract from applicants, such as plans of the building in the context of the neighborhood, aerial images, and photographs. He reiterated that there was not more Board discussion of the item because the applicant team provided a very thorough and detailed submittal. He agreed with Mr. Koseck's statement that this is a very difficult site to develop, and stated that he thinks the City will be proud of this development in the Triangle District going forward.

Chairman Clein said that not only was it an excellent submittal, but that the building was also beautifully designed.

Seeing no further Board comment, Chairman Clein invited public comment.

Mr. Fehan stated that, as a representative of the Hazel Chestnut Forest Homeowners Association, he thoroughly approved of the proposed project in all aspects. He said the plans represent the type of building, use of building, design, and quality of materials that will have an immensely positive impact the Triangle District. He said this project exemplifies the type of project the City should encourage and that he enthusiastically looked forward to the project's groundbreaking. Mr. Fehan concluded by encouraging the developers of All Seasons II to reflect on the plans for 770 S. Adams and to work to make the quality of their design and materials more similar to the latter.

Seeing no further public comment, Chairman Clein returned the matter to the Board for a roll call vote.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

06-65-20

G. Study Session Items

1. Draft Master Plan Review Process

Mr. Williams replaced Ms. Ramin on the Board at 9:23 p.m.

Planning Director Ecker and Ms. Traxler provided an overview of the item.

Mr. Williams said the City must make specific efforts to reach out to residents not represented by neighborhood associations to get their opinions on the master planning process. He explained that there are a number of households in the City who are not affiliated with any neighborhood association, and that relying on the associations to dialogue with residents risks leaving those households out of the process.

Mr. Jeffares concurred with Mr. Williams. He added that not only are many households unaffiliated with neighborhood associations, but many more households are affiliated with neighborhood associations in name only. He explained that while there are some active neighborhood associations in Birmingham, many exist merely as a holdover from a time when the association was active. These largely inactive associations exist without formalized representation or meetings and could not be said to have any buy-in or participation from the ostensibly represented residents. He warned that the City should not conduct its master plan review process through interactions with the current neighborhood associations since their connections to the residents of the neighborhoods vary so widely.

Chairman Clein agreed with Mr. Williams' and Mr. Jeffares' statements that the neighborhood associations could not be used as reliable sources of information, but explained they could be used as one more route of many to share information about the master planning process with residents. He noted that the information would also be accessible online and shared through various City-affiliated social media channels.

Ms. Whipple-Boyce agreed with Mr. Williams and Mr. Jeffares. She said reaching out to a random sampling of each neighborhood's residents for feedback would be vastly more effective than reaching out to neighborhoods via neighborhood associations.

Ms. Traxler said she wanted to clarify that, as Chairman Clein said, the neighborhood associations would just be one method of many for communicating with residents about the master planning process. She noted the City has many ways of communicating with residents including social media, school newsletters, local access cable, mailings and emails, and that the master planning team would be relying most heavily on those.

Mr. Boyle said he first wanted to commend Ms. Traxler for the focus and specificity of the plans she presented, saying that it would be helpful for moving the process forward. He continued by noting that it was most likely that the City would struggle to find active

participants in this process for the next while in light of the Covid-19 pandemic. He said that while public participation in the immediate future would likely take a dip, the City should keep in mind that they have already received a large amount useful feedback from residents. He said he was less concerned about when the public would return to the conversation, and more concerned about whether the Board has the support of the City Commission to proceed with the master planning process in the way it is being proposed.

Mr. Williams concurred with Mr. Boyle's point about the need for buy-in from the City Commission regarding the rest of the master planning process.

Chairman Clein agreed, saying that he hoped that after the June 15, 2020 joint Planning Board-City Commission meeting that the Commission would give its vocal political support to the Board's proposal for continuing with the master planning process. He said one of the items to be determined would be when the public-facing master plan review process would recommence. He noted he has seen more residents attend Board meetings via Zoom than have in-person, and said it was his opinion that recommencing the review process virtually could be beneficial for that reason.

Chairman Clein said that while he did not want a detailed review of the eleven themes set forward in the master planning process documents for the upcoming joint meeting, he did want feedback from the Commission regarding whether they agree that those eleven themes are appropriate focuses for the process moving forward. He also said it could be worth the Commission taking up a discussion of those themes at a future Commission meeting. He recommended to City staff and the master planning team that the Commission be provided with a brief written report after every one of the Board's master plan review discussions so the Commission can voice any concerns that arise as they occur and so that the Commission can remain apprised, in general, of the process.

Mr. Koseck said he was currently working on a master plan for another local community and said his team has had great success soliciting public feedback virtually. He said the discussions have been done somewhat by invitation, with that master planning team being careful to seek information from various specific cross-sections of the community. He said that while there is some loss to not being able to conduct the process in person, there also could be much gained from continuing the process virtually.

Ms. Traxler concurred with Mr. Koseck, and added that having some of these meetings virtually allows residents to attend who may not have otherwise been able to make it out to an in-person meeting. She said she has seen such success with the virtual option that it may be maintained as one more way to solicit public discussion and feedback moving forward even when in-person meetings are able to resume.

Mr. Williams said that during the joint meeting he hoped for Commission feedback on:

- The master plan process proposal as a whole as set forth by Ms. Traxler and the master planning team; and,
- The Commission's goals for its particular involvement in the rest of the master planning process.

Chairman Clein concurred.

Mr. Jeffares said it would also be important to specifically hear from the three newly elected Commissioners regarding their feedback on the master planning process and to make sure they are in favor of the direction the process is taking.

06-66-20

H. Miscellaneous Business and Communications:

a. Communications

b. Administrative Approval Correspondence

c. Draft Agenda for the joint City Commission-Planning Board Meeting (June 15, 2020)

- **Master Plan Process Review**
- **Lot Combination Process Review**
- **Consideration of potential economic assistance measures in light of Covid-19**

d. Draft Agenda for the next Regular Planning Board Meeting (June 24, 2020)

- **469-479 S. Old Woodward Preliminary Site Plan Review and CIS Review**
- **Jax Kar Wash Site Plan Revisions**

e. Other Business

Mr. Jeffares said someone posted on the social media website Nextdoor during the evening's meeting that they were unable to access the Zoom meeting even after following all the City's instructions.

Mr. Jeffares recommended that the City consider having a help line running for the first half-hour of virtual meetings so as to ensure that any members of the public who wish to participate are able to join. He said he would not want to continue with the master planning process virtually only to discover later that some residents were not able to participate due to technological issues.

Planning Director Ecker commented that any members of the public who are able to enter the waiting room during a virtual meeting are admitted by herself or by IT Manager Brunk and none appeared tonight that were not immediately admitted.

06-67-20

I. Planning Division Action Items

a. Staff Report on Previous Requests

b. Additional Items from tonight's meeting

06-68-20

J. Adjournment

No further business being evident, the Chairman adjourned the meeting at 10:06 p.m.

Jana L. Ecker

Planning Director

APPROVED

City Of Birmingham
Regular Meeting Of The Planning Board
Wednesday, December 9, 2020
Held Remotely Via Zoom And Telephone Access

Minutes of the regular meeting of the City of Birmingham Planning Board held on December 9, 2020. Chairman Scott Clein convened the meeting at 7:33 p.m.

A. Roll Call

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Daniel Share, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Members Jason Emerine, Nasseem Ramin; Student Representative Rachel Hesler (all located in Birmingham, MI, except for Bryan Williams who was located in Commerce Charter Twp.)

Absent: Student Representative June Lee

Administration: Jana Ecker, Planning Director ("PD")
Jamil Alawadi, IT Staff
Brooks Cowan, City Planner ("CP")
Nick Dupuis, City Planner ("CP")
Laura Eichenhorn, City Transcriptionist

12-141-20

B. Approval Of The Minutes Of The Regular Planning Board Meeting of November 11, 2020

Mr. Share said that on page three of the minutes, the fourth full paragraph, second line, "On Old Woodward" should be changed to "On Woodward in the south gateway".

Mr. Jeffares said that on page four, third full paragraph from the bottom, "conveniently" should be added between "to" and "get".

Motion by Mr. Boyle

Seconded by Mr. Share to approve the minutes of the Regular Planning Board Meeting of November 11, 2020 as amended.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

12-142-20

C. Chairperson's Comments

Chairman Clein welcomed everyone to the virtual meeting. He stated the meeting was being held under the auspices of state legislation. Chairman Clein reviewed procedures for the meeting.

12-143-20

D. Review Of The Agenda

PD Ecker explained that while the Final Site Plan and Design Review for All Seasons Phase 2 at 219 Elm Street was properly noticed, the Special Land Use Permit for the same business was not. She suggested that the Planning Board hear the Final Site Plan and Design Review during the present meeting and that they postpone the SLUP review to a date certain.

The Board accepted PD Ecker's suggestion.

12-144-20

E. Special Land Use Permit and Final Site Plan Reviews

1. 856 N. Old Woodward – Fruition (New Building – The Pearl), Final Site Plan and Design Review for changes to the building for the operation of a new food and drink establishment (no alcohol) in an O2 zone district.

CP Cowan stated the applicant requested a postponement of the evening's hearing.

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to postpone the SLUP request and Final Site Plan Review for Fruition at 856 N. Old Woodward to January 27, 2021.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

2. 251 E. Merrill, Suite 236 – Tapper's Gold Exchange (Merrillwood Building), Final Site Plan and Design Review to permit a jewelry store including the buying and selling of precious metals in a second floor suite.

Chairman Clein recused himself from the item citing a potential conflict-of-interest.

Vice-Chairman Williams facilitated the item's discussion.

PD Ecker presented for the City and John Henke spoke as attorney for the applicant.

Mark Tapper, owner and applicant, was also available.

In reply to Board inquiries, PD Ecker stated:

- No other applicants have expressed interest in opening a business that would be a regulated use within 1,000 feet of 251 E. Merrill.
- This location would be selling new jewelry in addition to buying and selling precious metals and jewelry.
- If this approval were granted, the approval would stay with the applicant and not with the location.

In reply to an inquiry from Mr. Share, Mr. Tapper stated that some small percentage of the business would be collateralized loans.

Mr. Henke explained lending is authorized by a pawn license, which Tapper's will seek from the Birmingham Police Department in the event of a SLUP approval.

Motion by Mr. Share

Seconded by Mr. Jeffares to recommend approval of the Special Land Use Permit to the City Commission to permit the operation of Tapper's Gold Exchange in compliance with Article 7, Section 7.36 and Article 7, Section 7.21 of Birmingham Code as a regulated use at 251 E. Merrill, Suite 236.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

Motion by Mr. Share

Seconded by Ms. Whipple-Boyce to recommend approval of the Final Site Plan to the City Commission to permit the operation of Tapper's Gold Exchange at 251 E. Merrill, Suite 236.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

Mr. Tapper thanked the Board for their work on behalf of the City.

F. Final Site Plan Review

1. 219 Elm Street – All Seasons Phase 2 (vacant office building), Final Site Plan and Design Review for new construction of a multi-family independent senior living building.

Chairman Clein resumed facilitation of the evening's meeting.

CP Dupuis presented the item.

Mark Hyland of All Seasons, Sam Beznos of Beztak Companies, project engineer John Thompson, and project architect Xander Bogaerts were present on behalf of the applicant.

Mr. Hyland stated that:

- There are no doors on the north facade, only windows. All the windows on the north facade will be fire and blast resistant.
- As soon as the building's energy needs are finalized with DTE and the necessary electrical equipment determined his team will submit proposals for screening the electrical equipment that will be ordinance-compliant.
- The comments provided by the Fire and Engineering Departments will be accommodated. All Seasons Phase 2 is working on configuring a fire command room as required.
- No front step was added to the building because the grade is flat and they did not want to change it unnecessarily.

It was discussed by the Board that if All Seasons Phase 2 were sold in the future to an owner who wanted to convert the building from senior housing to regular residential that the parking requirements for the building would increase significantly.

Mr. Boyle noted that while an MX use was not required for this parcel, mixed uses in general are encouraged in the Triangle Plan. He said he just wanted to bring that fact to the Board's attention.

Chairman Clein asked the applicants to fix discrepancies between the various submitted plans and to fix the one area of the connectivity plan that has no pavement or sidewalks. He offered his support for the project as long as all City conditions are met.

Mr. Share noted that the last Board discussion of the master plan draft explored the idea of increasing residential density in the Triangle District. While noting that such a proposal is not binding until the City adopts it, he said there did seem to be some indication that increasing residential density in this area would be desirable and that this project moves towards that. He also asked how the City will approach the matter of the 'bonus' stories for this building, to be earned through presumptive LEED certification, if the LEED certification is either 1. not ultimately granted or 2. granted, but falls short of the City's expectations.

Mr. Jeffares expressed dismay at the amount of hardie board proposed for the building. He said it struck him that the Board had no authorization to impose architectural standards in this case, and said they may want to look into changing that for the future.

Mr. Koseck expressed aesthetic and functional concerns with the project. He said:

- He liked the density and infill.
- While he had no problem with the height of the building, he found the massing odd in its context. If it were situated midblock between other similar buildings he said the massing would not be as noticeable, but that here it stands out as excessively imposing.
- In bigger cities first floor bedrooms and living rooms are either usually up half a level from the street or other architectural elements like courtyards and stoops provide a buffer. In contrast this proposal puts bedrooms and living rooms directly next to sidewalks, which

he said creates an awkward and uncomfortable pedestrian-resident interface. The options for residents are either to leave the blinds drawn, which serves to deactivate the streetscape, or to leave them open, which leaves pedestrians unsure of whether they are actually being invited to gaze in or whether they are intruding on someone's privacy.

- He had asked the applicant at the last review to have All Seasons Phase 2 echo only some of the materials and design of All Seasons, while making it its own unique design. He was disappointed that suggestion was not more realized in the most recent plans.
- The applicant should consider pursuing a variance for the fire-rated glass on the north facade since the adjacent building has the same owner. He said it would be a better experience for residents looking out of those windows and would match the other windows on the building.
- His misgivings made him unenthusiastic about the project as a whole. The project, however, seemed ordinance-compliant.

Mr. Williams agreed it was worth pursuing a variance for the fire-rated glass on the north side, noting that the worse-case scenario is that the applicant is turned down and has to implement its current plan.

Mr. Beznos told the Board that the applicant team met with the president of the nearest homeowners association in June 2020 and that the president expressed his approval of the plans, materials and designs for All Seasons Phase 2.

Motion by Mr. Boyle

Seconded by Mr. Williams to recommend approval to the City Commission the Final Site Plan and Design Review for 219 Elm St. – All Seasons 2 – subject to the following conditions:

- 1. The Planning Board approves the projections into the right-of-way on the west side of the building fronting Elm Street and on the south side facing the public alley;**
- 2. The applicant must either remove the awnings, or provide an easement acceptable to the City Attorney with the neighboring property owner for the use of the air rights to the north of the building;**
- 3. The applicant must provide specification sheets for all rooftop and ground mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals;**
- 4. The applicant must submit corrected landscaping plans showing the proposed locations of all planting material;**
- 5. The applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals;**
- 6. The applicant must submit material specification sheets for all of the required materials; and,**
- 7. The applicant must comply with the requests of all City departments.**

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

Motion by Mr. Williams

Seconded by Mr. Share to schedule the SLUP request review for All Seasons Phase 2 at 219 Elm Street on January 27, 2021.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

12-145-20

F. Miscellaneous Business and Communications:

a. Communications

The Board had a pre-application discussion with Jeffrey Atto, who expressed interest in potentially seeking a rezoning of his home from RZ1 to TZ3. He explained that since his business is mostly conducted through telecommuting, he would like the option to host one or two employees at his house at a time with the rest of his staff working remotely. He explained:

- His stretch of Lincoln is largely commercial, with an immense amount of on-street parking available.
- He took the proposal to his three closest neighbors, all of whom expressed approval of the idea.
- Converting his home to a home-office use would be mixed use, which is appropriate for TZ3, and the location fronts on a major road, which is another TZ3 requirement.
- He had this idea because of the Covid-19 pandemic, when he was re-evaluating the most optimal way to run his business.

Mr. Emerine and Mr. Jeffares confirmed there is a surplus of available parking near Mr. Atto's home.

Mr. Koseck, Ms. Whipple-Boyce and Chairman Clein noted that rezoning is a difficult bar to clear. Both Mr. Koseck and Ms. Whipple-Boyce noted that most of Lincoln is residential, and that a TZ3 rezoning would be out of place in that area.

Mr. Koseck added that, even if Mr. Atto's proposed use is low-intensity, once the parcel is rezoned it remains that way. This could allow a more intrusive business to occupy that parcel in the future and the City would have little recourse to prevent that.

Mr. Jeffares noted that while the City is trying to promote mixed uses in a number of areas, the City should pay attention to where mixed-use proposals arise organically. He cited the master plan draft's proposal for small commercial areas within neighborhoods, and said a business with one to three employees at a time could help promote that kind of activity. He also noted that, in

light of the pandemic, Mr. Atto is likely not the only resident reflecting on possible live-work options and said the City should be aware the matter is likely to come up again.

In response to a suggestion that he could have one or two employees over more informally without a zoning change, Mr. Atto noted that RZ1 specifically prohibits that option and that he is trying to operate lawfully.

Chairman Clein added that when residents express concerns about 'businesses intruding into neighborhoods' this kind of proposed configuration, rightly or wrongly, is what they are likely referring to.

Chairman Clein and Mr. Williams both expressed skepticism that rezoning would be likely in this case.

Chairman Clein thanked Mr. Atto for his thoughtful presentation and for bringing his ideas to the Board.

b. Administrative Approval Correspondence

c. Draft Agenda for the next Regular Planning Board Meeting (January 13, 2021)

- **Master Plan Draft Discussion**

d. Other Business

In reply to Mr. Jeffares, PD Ecker confirmed the City has been notifying the public about each master plan draft discussion meeting via City social media channels, packets sent out to neighborhoods, and City e-newsletters. She noted the pandemic is likely affecting attendance.

Mr. Jeffares suggested the City consider posting ground signs with the information about the master plan draft discussions around the City.

Mr. Williams added that discussion of these topics on the social media website Nextdoor indicates residents are at least thinking about the master planning topics. He said the City should continue to promote the master plan draft discussions on Nextdoor. He added that the City Commission should also continue to promote the master plan draft discussions at their meetings.

12-146-20

G. Planning Division Action Items

a. Staff Report on Previous Requests

b. Additional Items from tonight's meeting

12-147-20

H. Adjournment

No further business being evident, the Chairman adjourned the meeting at 9:35 p.m.

Jana L. Ecker

Planning Director

APPROVED



MEMORANDUM

Department of Public Services

DATE: January 30, 2021

TO: Thomas M. Markus, City Manager

FROM: Lauren A. Wood, Director of Public Services

SUBJECT: Adams Park Design Consultant Services Award

INTRODUCTION:

As the result of the Parks and Recreation Bond proposal passing, we are moving forward on several initiatives as part the recommended project priority list. The overall Parks and Recreation Plan identified several capital improvements projects at numerous City parks, playgrounds along with improvements to the Rouge River trail system. Besides the Adams Park redevelopment project, there are multiple bond projects in motion simultaneously. The 2018 Parks and Recreation Master Plan shows the development of a master plan for Adams Park and the implementation of the master plan.

BACKGROUND:

Adams Park is included in Schedule I of the Parks and Recreation Bond Priority List. We will pick up where this work left off. In 2015, the City of Birmingham requested Michael J. Dul & Associates, Inc. prepare a concept plan for Adams Park. The established concept plan was the result of public workshops and various public input, multiple meetings with neighborhood groups and Roeper School representatives. The Adams Park Concept Plan dated October 27, 2016 was presented and supported by the Parks and Recreation Board and accepted by the City Commission on October 27, 2016.

The first step in making improvements to Adams Park is to secure a consultant to finalize the Adams Park design plan and provide an estimated budget amount for the improvements. The proposal from Michael J. Dul includes such services for the renovation of Adams Park as to provide a base map from survey information provided by the City, a preliminary development plan, a proposed design for park elements such as play equipment and landscape beds and a preliminary cost estimate for budgeting purposes.

It is important to review the design elements from the 2016 Concept Plan, as part of the initial meetings with relevant stakeholders. In addition, other public meetings will held and public input will be encouraged during the Parks and Recreation Board and City Commission meetings. The proposal includes an estimated schedule for your review. On the schedule, all of the green shaded items are included as part of this project. For planning purposes, beyond this scope of work, the additional work items on the Adams Park Schedule show the entire proposed project completion timeline. The services

proposed do not include the preparation of bid documents, bidding process or construction management. Once the Adams Park Master Plan is finalized and approved, it will be necessary to procure this additional work, and obtain an additional proposal at that time.

The Department of Public Services recommends awarding the Adams Park Master Plan Design to Michael J. Dul & Associates in the amount not to exceed \$7,675, which includes \$175 allotment for reimbursables.

LEGAL REVIEW:

Other than the proposal, there is no other legal review at this time. The City of Birmingham prepares a Purchase Order for this procurement, which includes terms and conditions for the standard insurance requirements and indemnification language.

FISCAL IMPACT:

Funds are available from the FY Budget 2020-2021 in the Parks – Other Contractual Service account #101-751.000-811.0000 for this project.

PUBLIC COMMUNICATIONS:

Public input will be ongoing, gathered as part of the design process, at the Parks and Recreation Board and City Commission meetings in addition to ongoing feedback, and input from stakeholders.

SUMMARY:

The Department of Public Services recommends awarding the Adams Park Master Plan Design services to Michael J. Dul & Associates, Inc. in the amount not to exceed \$7,675.00, which includes \$175.00 in reimbursables.

The Parks and Recreation Board, at their February 2, 2021 meeting, passed a resolution to recommend the Adams Park Design Consultant project be awarded to Michael J. Dul & Associates.

ATTACHMENTS:

- Michael J. Dul & Associates, Inc. December 28, 2020 Proposal for Professional Services and Adams Park Development Schedule
- Adams Park Site Analysis dated May 3, 2016
- Adams Park Concept Plan dated October 27, 2016

SUGGESTED RESOLUTION:

To award the Adams Park Design Consultant services to Michael J. Dul & Associates, Inc. in the amount not to exceed \$7,675.00. Funds are available in the Parks – Other Contractual Service account #101-751.000-811.0000 for this project. Further, to authorize the Director of Public Services to sign the Professional Service proposal on behalf of the City upon receipt of the required insurance coverage.



PROPOSAL MEMORANDUM

TO: Ms. Lauren Wood
Department of Public Services
851 S. Eton Road
Birmingham, MI 48009 248-530-1700

MEMO NO.
PROJECT: LANDSCAPE RENOVATION
Adams Park
Birmingham, MI

FROM: Michael J. Dul *Michael J Dul*

RE: **Proposal for Professional Service**

DATE: December 28, 2020

This is our proposal for continuing Landscape Architectural services for the renovation of Adams Park with the intent to facilitate city and various stakeholder consensus for the design and budget direction. Michael J. Dul & Associates, Inc. will provide ideas in the form of a Master Plan for site grading and drainage, fencing, and the arrangement of use areas such as hard surface play, various site elements and landscape.

Work Scope

BASE MAP: A base map will be prepared from survey information provided by the City. MJD&A will verify all trees and site elements and incorporate them into a base plan.

PRELIMINARY DEVELOPMENT PLAN: A Landscape Development Plan will illustrate the proposed design for treatment of the ground plane and the arrangement of site elements including hard surface play area, play equipment, benches, fencing, retaining walls, irrigation, landscape beds, shrubs, perennials and ornamental grasses.

PRELIMINARY COST ESTIMATE: A Preliminary Cost Estimate will be prepared (based on professional guesstimates). Revisions will be provided to update the Landscape Development Plan.

CITY & STAKEHOLDER MEETINGS: Required meetings for Design Review Board, Roeper School, Park Board, City Commission, neighborhood groups and any other required meetings are included (8 public meeting allotment). This proposal does not include Bid Documents, Bid Process, Construction Management or professional services during construction.

Client Investment

Professional fee for the proposed services is \$7,500 plus \$175 allotment for customary reimbursables such as printing, express mail & travel (\$0.60 per mile).

Additional service such as public meetings (above the 8 allotted), presentation graphics, construction documents, contractor bid procedure, construction site inspection trips, shop drawing review, punch lists, will be invoiced at our current hourly rate schedule in addition to the above fixed fee. Our current hourly rate schedule: Principal (MJD) \$200; Project Manager (PMF) \$150; Landscape Architect (TS; MC) \$125.

To the maximum extent permitted by law, the Client agrees to limit the Landscape Architect's liability for the Client's damages to the sum equal to the Landscape Architect's professional fee. This limitation shall apply regardless of the cause of action or legal theory pled or asserted.

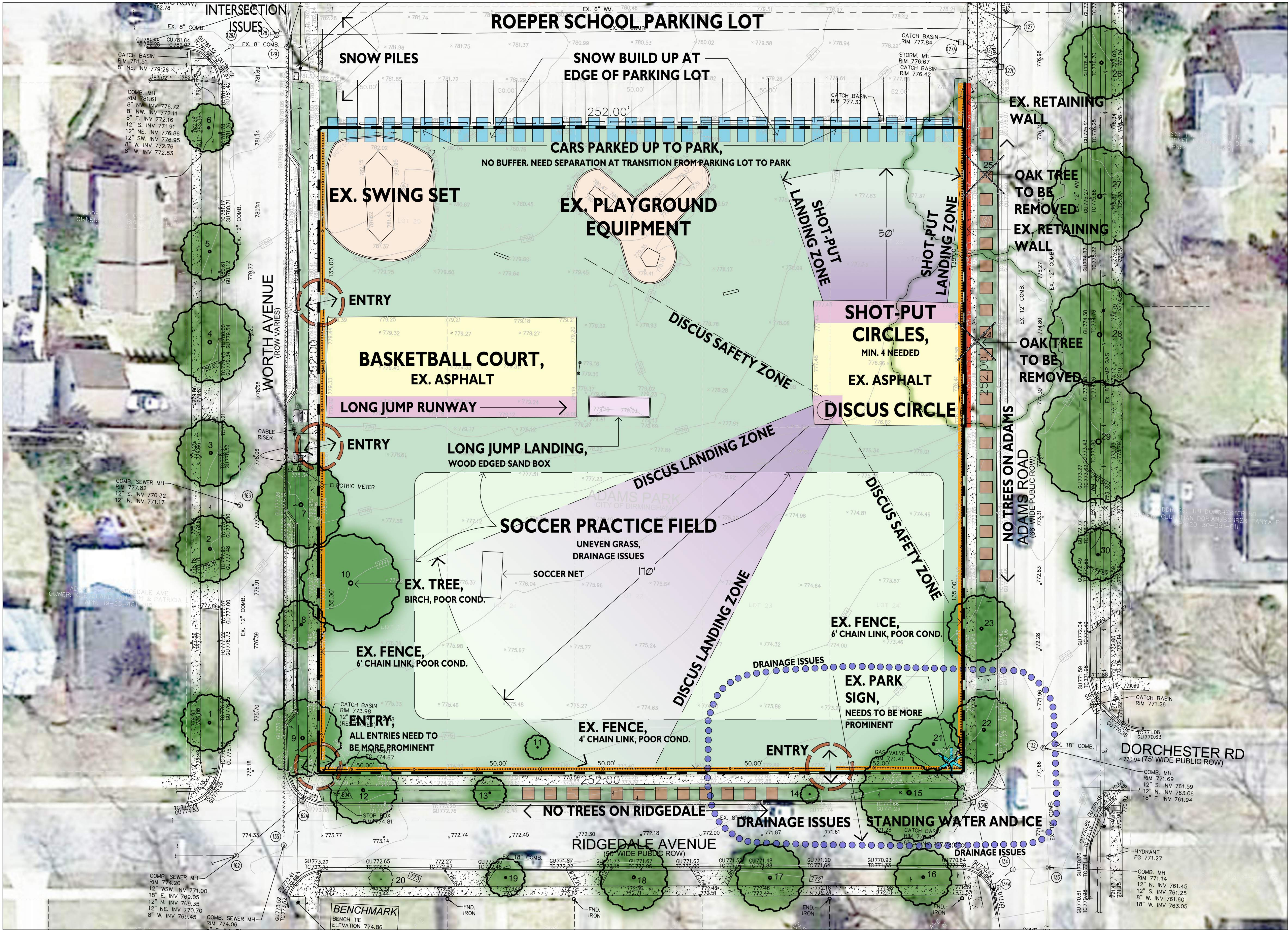
If you approve this proposal, please return a signed copy at your earliest convenience.

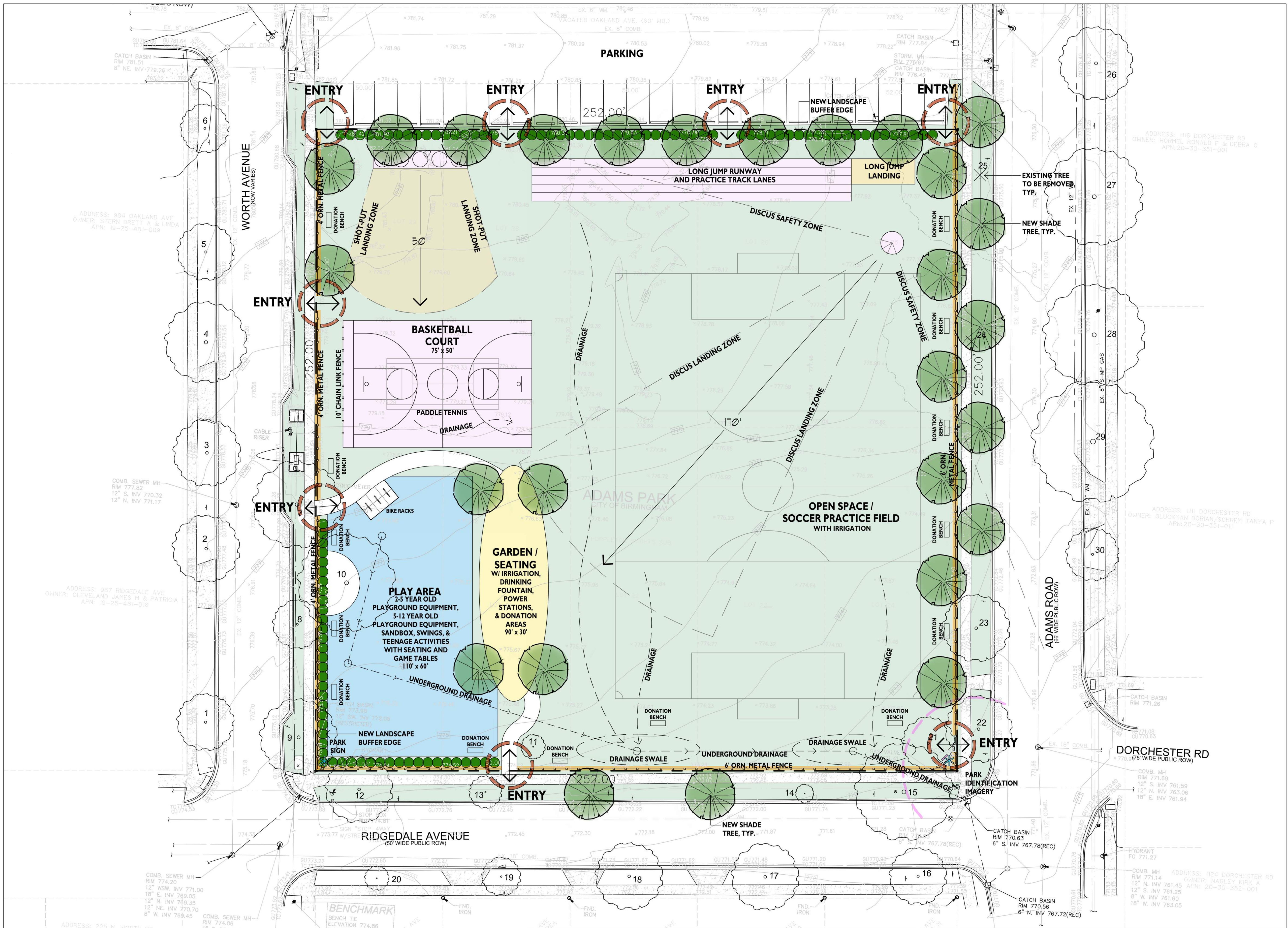
We welcome this opportunity to be of service and look forward to working together with you again on this project site. Please feel free to phone our office at (248) 644-3410 should you have any question or concerns about this proposal.

Approved by:

NAME

DATE







MEMORANDUM

Department of Public Services

DATE: January 20, 2021

TO: Thomas M. Markus, City Manager

FROM: Lauren A. Wood, Director of Public Services

SUBJECT: 2021 Annual Flower Purchase

INTRODUCTION:

The Department of Public Services (DPS) designs flower beds, orders material to grow the plugs and seeds in the greenhouse before delivery of the flowers for planting by DPS staff on public property throughout the City of Birmingham. The annual flower bid quantity remains constant, depending on new street designs and projects. Some recent beds have become perennials, rather than annuals. This year we requested pricing for all materials for two (2) consecutive planting seasons.

BACKGROUND:

The request for proposal (RFP) for this purchase was entered into the Michigan Inter-Governmental Trade Network (MITN) purchasing system. Sealed bids were opened on Tuesday, January 19, 2021 for the purchase of annual flowers for the spring planting during 2021 and 2022. One bid was submitted for this project. The result of the sealed bid is below:

Bidder	Complete Bid	Deviations Exceptions	Total For 2021	Total for 2022
Croswell Greenhouse Inc.	Yes	No	\$19,649.60	\$19,972.75

Croswell Greenhouse is the only bidder again for this annual purchase. When other vendors bid on this in the past, they could not always provide us with the flower types requested in the bid specifications. Other past bidders submitted bids with deviations and exceptions to the requested plant materials. In other words, Croswell Greenhouse does this job very well.

This material is grown especially for us by the nursery we select. We are not ordering just run of the mill material, as it is customized specifically for our needs. The City of Birmingham requests a variety of unique flowers and not every grower is able to meet our material requirements. Because of the specialty nature of this bid, traditionally we do not get many bids. Our landscape team with the Department of Public Services is comfortable with this pricing and vendor.

We have purchased annual flowers from Croswell Greenhouse over the past seven years and are very pleased with the material. The cost for the 2020 flower program was \$20,589.55. The cost for the 2019 flower program was \$17,812.85. This purchase does not include the hanging flower baskets around downtown, which Croswell provides to the Birmingham Shopping District.

LEGAL REVIEW:

There has been no legal review for this annual purchase over the years.

FISCAL IMPACT:

We have funds budgeted for this purchase in the General Fund – Property Maintenance – Operating Supplies account #101-441.003-729.0000.

PUBLIC COMMUNICATIONS:

This does not apply for this purchase.

SUMMARY:

The Department of Public Services recommends the purchase of the 2021 annual flowers from Croswell Greenhouse at a total cost not to exceed \$19,649.60 and for the 2022 annual flower program from Croswell Greenhouse at a not to exceed \$19,972.75. Money is budgeted for this purchase in General Fund – Property Maintenance – Operating Supplies account #101-441.003-729.0000.

ATTACHMENTS:

Attached is the Bidder's Agreement, Cost Proposal and Iran Sanctions Act Vendor Certification Form.

SUGGESTED RESOLUTION:

To approve the 2021 annual flower purchase from Croswell Greenhouse Inc. in the amount not to exceed \$19,649.60 and the 2022 annual flower purchase in the amount not to exceed \$19,972.75. Funds are available from the General Fund – Property Maintenance – Operating Supplies account #101-441.003-729.0000.

ATTACHMENT B - BIDDER'S AGREEMENT
For ANNUAL FLOWERS JANUARY 19, 2021

In submitting this proposal, as herein described, the Contractor agrees that:

1. They have carefully examined the specifications, terms and Agreement of the Request for Proposal and all other provisions of this document and understand the meaning, intent, and requirement of it.
2. They will enter into a written contract and furnish the item or items in the time specified in conformance with the specifications and conditions contained therein for the price quoted by the proponent on this proposal.

<u>Gill VanCamp</u>	<u>1-18-21</u>
PREPARED BY (Print Name)	DATE
<u>Grower</u>	<u>1-18-21</u>
TITLE	DATE
<u>Gill VanCamp</u>	<u>vanamps01@yahoo.com</u>
AUTHORIZED SIGNATURE	E-MAIL ADDRESS
<u>Croswell Greenhouse</u>	
COMPANY	
<u>180 Davis Street Croswell, Nj 08422</u>	<u>810-679-3298</u>
ADDRESS	PHONE
<u>same</u>	
NAME OF PARENT COMPANY	PHONE
<u>same</u>	
ADDRESS	

ATTACHMENT C - COST PROPOSAL

ANNUAL FLOWERS JANUARY 19, 2021

The vendor shall complete the following information in regard to supplying flowers and indicate the "Unit Price" and "Total Price", and other requested information. Indicate alternate species, size or color in the event the requested materials cannot be bid. The City reserves the right to determine if an alternate species, size or color is an acceptable equivalent.

THE MINIMUM ORDER WHICH SHALL BE ACCEPTED ON A DELIVERED PRICE IS \$_____.
In the event an order of less than the delivered price noted above is requested by the City, an additional delivery cost of \$_____ may be charged to the City. UNLESS NOTED TO THE CONTRARY, ALL PRICES QUOTED ARE F.O.B. at BIRMINGHAM, MICHIGAN. Assistance in unloading will be provided by the City without additional expense to the supplier provided delivery meets the terms contained in the specifications.

ANNUALS

NOTE: The following annual flats below are to be of a 48 count

SPECIES	FLOWER COLOR/TYPE	QUANTITY	SIZE	UNIT PRICE for 2021	TOTAL PRICE for 2021	UNIT PRICE FOR 2022	TOTAL PRICE for 2022
BEGONIA	BADABING-WHITE	191	48	8.35	1594.85	8.45	1613.95
BEGONIA	BADABING-ROSE	50	48	8.35	417.50	8.45	422.50
BEGONIA	BADABOOM-ROSE	192	48	8.35	1603.20	8.45	1622.40
COLEUS	COLORPRIDE	10	48	8.35	83.50	8.45	84.50
DIANTHUS	TELSTAR-PURPLE	97	48	8.35	809.95	8.45	819.65
DUSTY MILLER	SILVERDUST	114	48	8.35	951.90	8.45	963.30
IMPATIENS	BEACON-ROSE	42	48	8.35	352.70	8.45	354.90
IMPATIENS	BEACON-WHITE	38	48	8.35	317.30	8.45	321.10
MARIGOLD	DURANGO-OUTBACK MIX	31	48	8.35	258.85	8.45	261.95
MARIGOLD	SAFARI YELLOW FIRE	45	48	8.35	375.75	8.45	380.25
SALVIA	MOJAVE-RED	174	48	8.35	1452.90	8.45	1470.30
SALVIA	VISTA-WHITE	22	48	8.35	183.70	8.45	185.90

MISCELLANEOUS ANNUALS

NOTE: The following miscellaneous annuals below are to be in a 4 1/2" pot size

SPECIES	FLOWER COLOR/TYPE	QUANTITY	SIZE	UNIT PRICE for 2021	TOTAL PRICE for 2021	UNIT PRICE for 2022	TOTAL PRICE for 2022
BEGONIA	BIG SERIES PINK/GREEN LEAF	408	4 1/2"	2.50	1020.00	2.55	1040.40
BEGONIA	WHOPPER SERIES RED/BRONZE LEAF	150	4 1/2"	2.50	375.00	2.55	382.50
BEGONIA	WHOPPER SERIES ROSE/GREEN LEAF	610	4 1/2"	2.50	1525.00	2.55	1555.50
CLEOME	PROVEN WINNER SENORITA BLANCA	8	4 1/2"	2.50	20.00	2.55	20.40
EUPHORBIA	PROVEN WINNER DIAMOND SNOW	214	4 1/2"	2.50	535.00	2.55	545.70
SUN PATIENS	COMPACT-NEON PINK	30	4 1/2"	2.50	75.00	2.55	76.50
SUN PATIENS	COMPACT WHITE	897	4 1/2"	2.50	2242.50	2.55	2287.35
SUPERTUNIA	PROVEN WINNER-VISTA BUBBLE GUM	764	4 1/2"	2.50	1910.00	2.55	1948.20
SUPERTUNIA	PROVEN WINNER VISTA-PARADISE	760	4 1/2"	2.50	1900.00	2.55	1938.00

NOTE: The Following miscellaneous annuals below are to be IN A 6" Pot size.							
SPECIES	FLOWER COLOR/TYPE	QUANTITY	SIZE	UNIT PRICE for 2021	TOTAL PRICE for 2021	UNIT PRICE FOR 2022	TOTAL PRICE for 2022
CANNA	PROVEN WINNER TOUCAN-ROSE	3	6"	5.40	16.20	5.50	16.50
CANNA	PROVEN WINNER-TOUCAN SCARLET	143	6"	5.40	772.20	5.50	786.50
CANNA	PROVEN WINNER TOUCAN-YELLOW	114	6"	5.40	615.60	5.50	627.00
PENNISETUM	PURPLE FOUNTAIN GRASS	45	6"	5.40	243.00	5.50	247.50

Department of Public Services
851 South Eton, Birmingham, Michigan 48009
(248) 530-1708

Bidder Information
Annual Flowers-January 19, 2021

Date: 1-18-21
 Name: Gill VanCamp
 Signature: Gill VanCamp
 Firm: Creswell Greenhouse
 Address: 180 Davis Street
 City/State/Zip: Creswell, MI 48422
 Telephone/Fax: 810-679-3298
 E-mail: vincamps01@yahoo.com

Total amount of bid for 2021 \$ 19,649.⁶⁰ Total amount of bid for 2022 \$ 19,972.75

All items bid? ☒ Yes ☐ No (Circle one) If no, indicate number of items not bid _____

Any substitutions? (Yes/No)(Circle one)

If yes, indicate how many _____

What were the substitutions? _____

ATTACHMENT D - IRAN SANCTIONS ACT VENDOR CERTIFICATION FORM

For ANNUAL FLOWERS JANUARY 19, 2021

Pursuant to Michigan Law and the Iran Economic Sanction Act, 2012 PA 517 ("Act"), prior to the City accepting any bid or proposal, or entering into any contract for goods or services with any prospective Vendor, the Vendor must certify that it is not an "Iran Linked Business", as defined by the Act.

By completing this form, the Vendor certifies that it is not an "Iran Linked Business", as defined by the Act and is in full compliance with all provisions of the Act and is legally eligible to submit a bid for consideration by the City

Gill VanCamp 1-18-21
PREPARED BY DATE
(Print Name)

Grower 1-18-21
TITLE DATE

Gill VanCamp Vancamps01@yahoo.com
AUTHORIZED SIGNATURE E-MAIL ADDRESS

Croswell Greenhouse
COMPANY

180 Davis Street Croswell Mi. 48422 (810) 679-3298
ADDRESS PHONE

Same Same
NAME OF PARENT COMPANY PHONE

Same
ADDRESS

416-3806437
TAXPAYER I.D.#



MEMORANDUM

Department of Public Services

DATE: January 26, 2021
TO: Thomas M. Markus, City Manager
FROM: Lauren A. Wood, Director of Public Services
SUBJECT: Emergency Repair – Dump Truck #26

INTRODUCTION:

City vehicle #26 is a 2007 Chevrolet C7500 dump truck that we recently had towed to J.B.DLCO Auto Repair Center & Multistate Transmissions of Warren. They found the fluid condition to be burnt and the vehicle was not shifting properly. Upon further diagnosis, the mechanic discovered major internal transmission problems. They recommended a rebuild of the transmission. On January 18, 2021, the Department of Public Services (DPS) requested emergency authorization to proceed with the repairs for this critical piece of equipment.

BACKGROUND:

This smaller dump truck is one of four (4) in our fleet and typically is replaced every 15-20 years. This type of a smaller dump truck is used daily by DPS, five (5) days per week in the hauling of dirt, sand, & snow along with being equipped to plow snow. This vehicle has been repaired accordingly and is back in service.

In 2007, the cost for this new piece of equipment was \$87,787.00. The repair cost is \$7,871.71, which will be charged to the Auto Equipment Fund account #641-441.006-933.0200.

LEGAL REVIEW:

No legal review is required for this item.

FISCAL IMPACT:

J.B.DLCO Auto Repair Center & Multistate Transmissions specializes in transmission maintenance estimated the repairs to be \$7,871.71. Funds are available in the Auto Equipment Fund account #641-441.006-933.0200.

PUBLIC COMMUNICATIONS:

This does not apply for this purchase.

SUMMARY:

The Department of Public Services requests City Commission confirmation of the City Manager's authorization to proceed with emergency repairs related to vehicle #26.

ATTACHMENTS:

There are no attachments for this item.

SUGGESTED RESOLUTION:

To confirm the City Manager's authorization for the emergency expenditure related to the repair of vehicle #26 by J.B.DLCO Auto Repair Center & Multistate Transmissions for \$7,871.71 to be charged to the Auto Equipment account #641-441.006-933.0200, pursuant to Sec. 2-286 of the City Code.



MEMORANDUM

Clerk's Office

DATE: February 8, 2021

TO: Tom Markus, City Manager

FROM: Alexandria Bingham, City Clerk

SUBJECT: 2021 Farmers Market

INTRODUCTION:

The Birmingham Shopping District has submitted a Special Event application to hold the 2021 Farmers Market season beginning Sunday, May 2nd through Sunday, October 31st. Set-up for each event is scheduled for Sundays from 7:00-9:00 AM. The market opens at 9:00 AM and ends at 2:00 PM. Tear-down hours are 2:00-3:30 PM each Sunday.

BACKGROUND:

Prior to application submission, the Police Department reviewed the proposed event details for street closures and the need for safety personnel and approved the details. DPS, Planning, Building, Police, and Fire have indicated their approval. SP+ Parking has been notified of the event for planning purposes.

The following events occur in Birmingham, and do not pose a conflict for this event:

Event	Date	Location
Art Birmingham	May 8 - 9	Shain park
Movie Night	June 11, July 16, August 13	Booth Park
Birmingham Cruise event	August 21 st	Old Woodward from Maple to Lincoln
Village Fair	June 2 – 6	Shain Park & Martin
Parkinson's Walkathon	(Possibly) June 26	Seaholm High School
Street Art Fair	September 18 & 19	Location still being determined

LEGAL REVIEW:

n/a

FISCAL IMPACT:

n/a

SUMMARY

The City Commission is being asked to approve the 2021 Farmers Market season to be held May 2, 2021 from 9:00 AM to 2:00 PM to October 31, 2021 with set-up to begin at 7:00 AM on Sundays. Tear-down will begin at the conclusion of each event at 2:00 PM-3:30 PM.

ATTACHMENTS:

1. Special Event application
2. Notification letter with map of event area distributed to residents/businesses within 300 feet of the event area on January 25, 2021. Notification addresses are on file in the Clerk's Office
3. Certificate of Insurance
4. Department Approval page with comments and estimated costs

SUGGESTED RESOLUTION:

To approve a request from the Birmingham Shopping District to hold the 2021 Farmers Market season beginning Sunday, May 2, 2021 to October 31, 2021 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.

**CITY OF BIRMINGHAM
APPLICATION FOR SPECIAL EVENT PERMIT
PARKS AND PUBLIC SPACES**

**IMPORTANT: EVENTS UTILIZING CITY SIDEWALKS AND/OR STREETS MUST MEET
WITH POLICE DEPARTMENT SPECIAL EVENT OFFICER TO REVIEW PROPOSED
EVENT DETAILS PRIOR TO SUBMITTING APPLICATION.**

Police Department acknowledgement: _____

I. EVENT DETAILS

- Incomplete applications will not be accepted.
- Changes in this information must be submitted to the City Clerk, in writing, at least three weeks prior to the event

FEES: **FIRST TIME EVENT:** **\$200.00**
 ANNUAL APPLICATION FEE: **\$165.00**

(Please print clearly or type)

Date of Application January 22, 2021

Name of Event Birmingham Farmers Market

Detailed Description of Event (attach additional sheet if necessary) This will be the 19th annual season of the Farmers Market. The market offers the community the access to fresh produce directly from growers. Throughout the season, more than 70 booths feature a diverse array of Michigan-grown produce including vegetables, fruits, flowers and garden plants, plus prepared foods, baked goods, and soaps. We will follow all applicable state and county safety guidelines. See attachment for more details.

Location Municipal Parking Lot #6 on N. Old Woodward

Date(s) of Event Sundays, May 2 - October 31, 2021 Hours of Event 9 a.m. - 2 p.m.

Date(s) of Set-up day of event Hours of Set-up 7 - 9 a.m.

NOTE: No set-up to begin before 7:00 AM, per City ordinance.

Date(s) of Tear-down day of event Hours of Tear-down 2-3:30 p.m.

Organization Sponsoring Event Birmingham Shopping District

Organization Address 151 Martin St., Birmingham, MI 48009

Organization Phone 248-530-1200

Contact Person Jaimi Brook

Contact Phone 248-530-1254 cell - 248-508-5518

Contact Email jbrook@bhamgov.org

II. EVENT INFORMATION

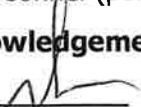
1. Organization Type city - Birmingham Shopping District
(city, non-profit, community group, etc.)
2. Additional Sponsors or Participants (Provide name, address, contact person, status, etc. for all additional organizations sponsoring your event.) TBD
3. Is the event a fundraiser? YES ☐ NO ☒
List beneficiary
List expected income
Attach information about the beneficiary.
4. First time event in Birmingham? YES ☐ NO ☒
If no, describe This will be the 19th season for the farmers market.
5. Total number of people expected to attend per day 1,000 - 3,000
6. The event will be held on the following City property: (Please list)
☒ Street(s) Municipal Parking Lot #6 on N. Old Woodward

☐ Sidewalk(s)

☐ Park(s)
7. Will street closures be required? YES ☐ NO ☒
(Police Department acknowledgement prior to submission of application is required) (initial here) 
8. What parking arrangements will be necessary to accommodate attendance? Nearby parking deck and street parking will be sufficient.

9. Will staff be provided to assist with safety, security and maintenance? YES ☒ NO ☐
If yes, please provide number of staff to be provided and any specialized training received.

Describe BSD event staff will be on-site during the event as well as community volunteers.

10. Will the event require safety personnel (police, fire, paramedics)? YES ☐ NO ☒
(Police Department acknowledgement prior to submission of application is required.) (initial here) 

Describe _____

11. Will alcoholic beverages be served? YES ☐ NO ☒
If yes, additional approval by the City Commission is required, as well as the Michigan Liquor Control Commission.

12. Will music be provided? YES ☒ NO ☐
X Live X Amplification X Recorded _____ Loudspeakers

Time music will begin 9:30 a.m.

Time music will end 2 p.m.

Location of live band, DJ, loudspeakers, equipment must be shown on the layout map.

13. Will there be signage in the area of the event? YES ☒ NO ☐

Number of signs/banners 1

Size of signs/banners 20' x 4' sign on the south end of the parking lot

Submit a photo/drawing of the sign(s). **A sign permit is required.**

14. Will food/beverages/merchandise be sold? YES ☒ NO ☐

- Peddler/vendor permits must be submitted to the Clerk's Office, **at least two weeks prior to the event.**
- You must obtain approval from the Oakland County Health Department for all food/beverage sales/donations. Contact ehclerk@oakgov.com or 248-535-9612 to obtain Health Department approval.
- There is a \$50.00 application fee for all vendors and peddlers, in addition to the \$10.00 daily fee, per location.

LIST OF VENDORS/PEDDLERS
(attach additional sheet if necessary)

VENDOR NAME	GOODS TO BE SOLD	WATER HOOK-UP REQUIRED?	ELECTRIC REQUIRED?
TBD			

III. EVENT LAYOUT

- Include a map showing the park set up, street closures, and location of each item listed in this section.
- Include a map and written description of run/walk route and the start/finish area

1. Will the event require the use of any of the following municipal equipment?
(show location of each on map)

EQUIPMENT	QUANTITY	COST	NOTES
Picnic Tables		6 for \$200.00	A request for more than six tables will be evaluated based on availability.
Trash Receptacles		\$4.00 each	Trash box placement and removal of trash is the responsibility of the event. Additional cost could occur if DPS is to perform this work.
Dumpsters		\$250.00 per day	Includes emptying the dumpster one time per day. The City may determine the need for additional dumpsters based on event requirements.
Utilities (electric)	___ # of vendors requiring utilities	Varies	Charges according to final requirements of event.
Water/Fire Hydrant		Contact the Fire Department.	Applicant must supply their own means of disposal for all sanitary waste water. Waste water is NOT allowed to be poured into the street or on the grass.
Audio System		\$200.00 per day	Must meet with City representative.
Meter Bags / Traffic Cones / Barricades	# to be determined by the Police Department.		

2. Will the following be constructed or located in the area of the event? YES NO
(show location of each on map) NOTE: Stakes are not allowed.

TYPE	QUANTITY	SIZE
Tents/Canopies/Awnings (A permit is required for tents over 120 sq ft)	1 - 70	10'x10' and 10'x20'
Portable Toilets	2	1 reg & 1 handicap
Rides		
Displays		
Vendors	1-70	
Temporary Structure (must attach a photo)		
Other (describe)		

SIGNATURE OF APPLICANT REQUIRED

EVENT NAME Birmingham Farmers Market

EVENT DATE Sundays, May 2 - October 31, 2021

The Birmingham City Commission shall have sole and complete discretion in deciding whether to issue a permit. Nothing contained in the City Code shall be construed to require the City Commission to issue a permit to an applicant and no applicant shall have any interest or right to receive a permit merely because the applicant has received a permit in the past.

As the authorized agent of the sponsoring organization, I hereby agree that this organization shall abide by all conditions and restrictions specific to this special event as determined by the City administration and will comply with all local, state and federal rules, regulations and laws.

Jaimi Brook 1/22/2021
Signature Date

IV. SAMPLE LETTER TO NOTIFY ANY AFFECTED PROPERTY/BUSINESS OWNERS

- Organizer must notify all potentially affected residential property and business owners of the date and time this application will be considered by the City Commission. *(Sample letter attached to this application.)*
- Attach a copy of the proposed letter to this application. The letter will be reviewed and approved by the Clerk's Office. The letter must be distributed at least two weeks prior to the Commission meeting.
- A copy of the letter and the distribution list must be submitted to the Clerk's Office at least two weeks prior to the Commission meeting.
- If street closures are necessary, a map must be included with the letter to the affected property/business owners.

VII. CHECKLIST

ATTACHMENTS TO INCLUDE WITH SPECIAL EVENT APPLICATION

- Completed special event application
- Application fee (payable to "City of Birmingham")
- Map of event area detailing
 - street closures (**Police Department input required prior to submission of application**)
 - tents / canopies
 - tables
 - signs
 - trash receptacles / dumpsters
 - barricades
 - audio equipment / band
 - rides / inflatables
 - vendor booths
 - displays
 - portable toilets
 - layout of start/finish area (if on public property)
 - temporary structures or displays of any kind (picture required)
- Map of the route(s)
- Written route(s)
- Photo of display or temporary structure
- Sample of signs/banners - including size
- Hold Harmless Agreement (signed, on event sponsor's letterhead)
- Insurance Certificate
- Letter to affected property owners (must include map of event area or route)*
- List of addresses the letter was distributed (includes all residential and businesses in the event area, along the route, and affected by street closures)*
- List of vendors
- If fundraiser: Information about the beneficiary

****Letter to affected property owners and list of addresses must be submitted to the Clerk's Office at least two weeks prior to the Commission meeting.***

OFFICE USE ONLY

Received by _____

Date _____

License Number _____

The above highlighted items must be submitted by ¹⁴_____

Date of Commission meeting _____

The Birmingham Shopping District is committed to producing low-risk events during these unprecedented, ever-changing times. We will follow all applicable state and county safety guidelines. We have been in conversation with Chief Wells to make sure that our plans are in accordance with city regulations and safety standards. Since we are still several months away from the execution of our farmers market, it is not possible to say what the exact plans will be as guidelines continue to change.

Sample of previous
Farmers Market
Signage

(left side)



SUNDAYS
9 A.M.-2 P.M.

3rd

MAY 5TH -

OCT 27TH

25th

(right side)

OPENING DAY

SUN, MAY 5³

CHEF CLASH

SUN, JUNE 23²¹

CORN FESTIVAL

SUN, AUG 11⁹

HARVEST FEST

SUN, SEPT 15¹³

**END OF SEASON
CELEBRATION**

SUN, OCT 27²⁵

660 N. OLD WOODWARD

SPONSORS

BANK OF ANN ARBOR

BLOOMFIELD HILLS DENTAL ASSOCIATES

CARUSO CARUSO • CIBC

FOREST AND PHOENICIA RESTAURANT

LUIGI BRUNI

LUXE BAR & GRILL AND SALVATORE SCALOPINI

NAJOR COMPANIES

POWER HOME REMODELING • PRIMI PIATTI

RENEWAL BY ANDERSON

C&G NEWSPAPERS • DOWNTOWN PUBLICATIONS • GSTV

THE DETROIT JEWISH NEWS • OAKLAND COUNTY MOMS

Birmingham PSD
151 Martin Street
Birmingham, MI 48009



1925177028
CHRISTOPHER BIDLAKE
KRISTIE BIDLAKE
139 WIMBLETON DR
BIRMINGHAM, MI 48009

Birmingham PSD
151 Martin Street
Birmingham, MI 48009



1925179003
CITY OF BIRMINGHAM
151 MARTIN ST
BIRMINGHAM, MI 48009

Birmingham PSD
151 Martin Street
Birmingham, MI 48009



1925179001
AUGUST LLC
35975 WOODWARD AVE APT 200
BIRMINGHAM, MI 48009

Birmingham PSD
151 Martin Street
Birmingham, MI 48009



1925179002
OLD WOODWARD LLC
900 N OLD WOODWARD AVE
BIRMINGHAM, MI 48009

January 25, 2021

TO: Birmingham Property Owner

The Birmingham City Code requires that we receive approval from the Birmingham City Commission to hold the following special event. The code further requires that we notify any property owners or business owners that may be affected by the special event of the date and time that the city commission will consider our request so that an opportunity exists for comments prior to this approval.

NAME OF EVENT: **Birmingham Farmers Market**
LOCATION: **Parking Lot #6 on N. Old Woodward**
DATES/TIMES: **Sundays only, May 2 - October 31, 2021, 9:00 am - 2:00 pm**
BRIEF DESCRIPTION OF EVENT/ACTIVITY:
The market offers the community an opportunity to purchase fresh produce directly from growers. Throughout the season more than 70 booths feature a diverse array of Michigan-grown produce including vegetables, fruits, flowers and garden plants, plus prepared foods, baked goods, and soaps.
HOURS OF SET-UP **7:00 am to 9:00 am** HOURS OF TEAR-DOWN **2:00 pm to 3:30 pm**

DATE OF CITY COMMISSION MEETING: **Monday, February 8, 2021**

The City Commission will be meeting via Zoom <https://zoom.us/j/655079760>—Meeting ID: 655 079 760 at 7:30 p.m. A complete copy of the application to hold this special event is available for your review at the city clerk's office (248/530-1880). Log on to www.bhamgov.org/events for a complete list of special events.

EVENT ORGANIZER: **Birmingham Shopping District**
ADDRESS: **151 Martin Street, Birmingham, MI 48009**
PHONE: **248-530-1254 day of cell—248-508-5518**

January 25, 2021

TO: Birmingham Property Owner

The Birmingham City Code requires that we receive approval from the Birmingham City Commission to hold the following special event. The code further requires that we notify any property owners or business owners that may be affected by the special event of the date and time that the city commission will consider our request so that an opportunity exists for comments prior to this approval.

NAME OF EVENT: **Birmingham Farmers Market**
LOCATION: **Parking Lot #6 on N. Old Woodward**
DATES/TIMES: **Sundays only, May 2 - October 31, 2021, 9:00 am - 2:00 pm**
BRIEF DESCRIPTION OF EVENT/ACTIVITY:
The market offers the community an opportunity to purchase fresh produce directly from growers. Throughout the season more than 70 booths feature a diverse array of Michigan-grown produce including vegetables, fruits, flowers and garden plants, plus prepared foods, baked goods, and soaps.
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Liability & Property Pool

CERTIFICATE OF COVERAGE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED AS LISTED BELOW.

Name and Address of Participant:

City of Birmingham

151 Martin St., PO Box 3001
Birmingham, MI 48012-3001

Coverage Afforded:

Michigan Municipal League Liability and Property Pool
1875 Green Road
Ann Arbor, MI 48105-2530

Name and Address of Service Provider:

Meadowbrook, Inc.
P.O. Box 2054
Southfield, MI 48037-2054

This is to certify that the coverage listed below has been issued to the participant named above and is in-force at this time. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded herein is subject to all the terms, exclusions and conditions of the Pool contract.

Coverage	Contract Number	Expiration Date	Limits of Liability
<u>General Liability</u>	MML001444019	7/1/2021	\$10,000,000
<u>Automobile Liability</u>			Bodily Injury & Property Damage Combined Single Limit
<u>Other</u>			

Description of Operations/Locations/Vehicles:

Certificate Holder Additional Insured solely with respect to: Services provided on behalf of the City of Birmingham.

CANCELLATION: Should any of the above described coverages be canceled before the expiration date thereof, the administrator will endeavor to mail 60 days' written notice to the certificate holder named below, but failure to mail such notice shall impose no obligation or liability of any kind upon the Pool.

Name and Address of Certificate Holder:

Birmingham Principal Shopping District
151 Martin St.
Birmingham, MI 48009

Date Issued: 6/23/2020

By: _____
Authorized Representative

DEPARTMENT APPROVALS

EVENT NAME: FARMERS MARKET

LICENSE NUMBER #21-00011937

COMMISSION HEARING DATE: 2/8/2021

NOTE TO STAFF: Please submit approval by **January 29, 2021**

DATE OF EVENT: 5/2 – 10/31/2021 (Sundays)

DEPARTMENT	APPROVED	COMMENTS	PERMITS REQUIRED (Must be obtained directly from individual departments)	ESTIMATED COSTS (Must be paid two weeks prior to the event. License will not be issued if unpaid.)	ACTUAL COSTS (Event will be invoiced by the Clerk's office after the event)
PLANNING 101-000.000-634.0005 248.530.1855	TBC	No Cost / No Comment		\$0	
BUILDING 101-000.000.634.0005 248.530.1850	MJM	All tents must be weighted down, no stakes.	Tents over 400 sqft	\$442.96	
FIRE 101-000.000-634.0004 248.530.1900	JDP	BS & A Application Template 1. No Smoking in any tents or canopy. Signs to be posted. 2. All tents and Canopies must be flame resistant with certificate on site. 3. No open flame or devices emitting flame, fire or heat in any tents. Cooking devices shall not be permitted within 20 feet of the tents. 4. Tents and Canopies must be properly anchored for the weather conditions, no stakes allowed.		\$0	

- | | | | | | |
|--|--|--|--|--|--|
| | | <ol style="list-style-type: none">5. Clear Fire Department access of 12 foot aisles must be maintained, no tents, canopies or other obstructions in the access aisle unless approved by the Fire Marshal.6. Pre-event site inspection required.7. A prescheduled inspection is required for food vendors through the Bldg. dept. prior to opening.8. All food vendors are required to have an approved 5lbs. multi-purpose (ABC) fire extinguisher on site and accessible.9. Cords, hoses, etc. shall be matted to prevent trip hazards.10. Exits must be clearly marked in tents/structures with an occupant load over 50 people.11. Paramedics will respond from the fire station as needed. Dial 911 for fire/rescue/medical emergencies.12. A permit is required for Fire hydrant usage.13. Do Not obstruct fire hydrants or fire sprinkler connections on buildings.14. Provide protective barriers between hot surfaces and the public.15. All cooking hood systems that capture grease laden vapors must have an approved suppression system and a K fire extinguisher in addition to the ABC Extinguisher.16. Suppression systems shall be inspected, tested, and properly tagged prior to the event. All | | | |
|--|--|--|--|--|--|

		Sprinkler heads shall be of the 155 degree Quick Response type unless serving an area of high heat and approved by the Fire Marshal. The suppression system shall have a continuous water supply as well as a secondary back up supply. Activation of the suppression system will shut down the ride and cause illumination of the exits.			
POLICE 101-000.000.634.0003 248.530.1870	SG	On duty personnel will provide extra patrol. Barricades		\$500	\$500
PUBLIC SERVICES 101-000.000-634.0002 248.530.1642	Carrie Laird	Estimated costs are based on 2020 actual. Should changes in DPS requests occur, costs could be higher accordingly.		\$4,000 Equipment & labor	
ENGINEERING 101-000.000.634.0002 248.530.1839	js			\$0	
SP+ PARKING	SG	No Concerns, on street parking available.		\$0	\$0
INSURANCE 248.530.1807	AH	Received insurance with the application		\$0	
CLERK 101-000.000-614.0000 248.530.1803	AH	Notification letters to be mailed by applicant no later than 1/25/2021. Notification addresses on file in the Clerk's Office.	Applications for vendors license must be submitted no later than 4/16/2021	\$165	
				TOTAL DEPOSIT REQUIRED \$5,107.96	ACTUAL COST

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FOR CLERK'S OFFICE USE

Deposit paid _____

Actual Cost _____

Due/Refund_____



MEMORANDUM

Clerk's Office

DATE: February 8, 2021
TO: Tom Markus, City Manager
FROM: Alexandria Bingham, City Clerk
SUBJECT: Special Event - 2021 Day on the Town

INTRODUCTION:

The Birmingham Shopping District has submitted a Special Event application to hold the 2021 Day on the Town event on Saturday, July 31, 2021. Set-up for the event is scheduled for Friday, July 31 from 7 AM- 9 AM. Event hours are 9 AM to 6 PM. Tear-down is scheduled to begin at the completion of the event until 8 PM.

BACKGROUND:

Prior to application submission, the Police Department reviewed the proposed event details for street closures and the need for safety personnel and approved the details. DPS, Planning, Building, Engineering, Police, and Fire have indicated their approval. SP+ Parking has been notified of the event for planning purposes.

The following events occur in Birmingham in July, and do not pose a conflict for this event:

Movies in Booth Park
Farmers Market

July 16
Sundays in July

Booth Park
Parking Lot #6

LEGAL REVIEW:

n/a

FISCAL IMPACT:

n/a

SUMMARY

The City Commission is being asked to approve a special event permit for the 2021 Day on the Town event to be held July 31, 2021 from 9:00 AM to 6:00 PM with set-up to begin at 7:00 AM-9:00 AM. Tear-down is scheduled to begin at the conclusion of the event until 8:00 PM.

ATTACHMENTS:

1. Special Event application
2. Notification letter with map of event area distributed to residents/businesses within 300 feet of the event area on January 25, 2021. Notification addresses are on file in the Clerk's Office
3. Certificate of Insurance
4. Department Approval page with comments and estimated costs

SUGGESTED RESOLUTION:

To approve a request from the Birmingham Shopping District to hold the 2021 Day on the Town special event on Saturday, July 31, 2021. Approval is 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.

**CITY OF BIRMINGHAM
APPLICATION FOR SPECIAL EVENT PERMIT
PARKS AND PUBLIC SPACES**

**IMPORTANT: EVENTS UTILIZING CITY SIDEWALKS AND/OR STREETS MUST MEET
WITH POLICE DEPARTMENT SPECIAL EVENT OFFICER TO REVIEW PROPOSED
EVENT DETAILS PRIOR TO SUBMITTING APPLICATION.**

Police Department acknowledgement: _____

I. EVENT DETAILS

- Incomplete applications will not be accepted.
- Changes in this information must be submitted to the City Clerk, in writing, at least three weeks prior to the event

FEES:	FIRST TIME EVENT:	\$200.00
	ANNUAL APPLICATION FEE:	\$165.00

(Please print clearly or type)

Date of Application January 22, 2021

Name of Event Day on the Town

Detailed Description of Event (attach additional sheet if necessary) _____

This all day shopping event in the heart of downtown Birmingham has proven to be the largest sale day of the
year for many local merchants. The event may also include music and family friendly activities. We will follow all
applicable state and county safety guidelines. See attachment for more details.

Location Old Woodward, Maple, Merrill, Pierce, Hamilton

Date(s) of Event Saturday, July 31, 2021 Hours of Event 9 a.m. - 6 p.m.

Date(s) of Set-up Day of event - 7/31/2021 Hours of Set-up 7-9 a.m.

NOTE: No set-up to begin before 7:00 AM, per City ordinance.

Date(s) of Tear-down Day of event - 7/31/2021 Hours of Tear-down 6-8 p.m.

Organization Sponsoring Event Birmingham Shopping District

Organization Address 151 Martin St., Birmingham, MI 48009

Organization Phone 248-530-1200

Contact Person Jaimi Brook

Contact Phone 248-530-1254- office 248-508-5518 - cell

Contact Email jbrook@bhamgov.org

II. EVENT INFORMATION

1. Organization Type City - Birmingham Shopping District
(city, non-profit, community group, etc.)
2. Additional Sponsors or Participants (Provide name, address, contact person, status, etc. for all additional organizations sponsoring your event.) TBD

3. Is the event a fundraiser? YES ☐ NO ☒
List beneficiary _____
List expected income _____
Attach information about the beneficiary.
4. First time event in Birmingham? YES ☐ NO ☒
If no, describe This is an annual event

5. Total number of people expected to attend per day 10,000-15,000
6. The event will be held on the following City property: (Please list)
☒ Street(s) Old Woodward, Maple, Merrill, Pierce (see attached map)

☒ Sidewalk(s) N. Old Woodward & S. Old Woodward (see attached map)

☐ Park(s) _____

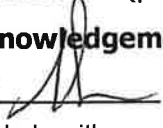
7. Will street closures be required? YES ☒ NO ☐
(Police Department acknowledgement prior to submission of application is required) (initial here) [Signature]
8. What parking arrangements will be necessary to accommodate attendance? We would like to offer free parking in all structures and at meters from 9 a.m. - 7 p.m. - pending staff approval

9. Will staff be provided to assist with safety, security and maintenance? YES ☒ NO ☐

If yes, please provide number of staff to be provided and any specialized training received.

Describe BSD event staff will be on-site throughout the event

10. Will the event require safety personnel (police, fire, paramedics)? YES ☒ NO ☐

(Police Department acknowledgement prior to submission of application is required.) (initial here) 

Describe Police presence to help with crowds

11. Will alcoholic beverages be served? YES ☐ NO ☒

If yes, additional approval by the City Commission is required, as well as the Michigan Liquor Control Commission.

12. Will music be provided? YES ☒ NO ☐

☒ Live ☒ Amplification ☒ Recorded ☒ Loudspeakers

Time music will begin 9 a.m.

Time music will end 6 p.m.

Location of live band, DJ, loudspeakers, equipment must be shown on the layout map.

13. Will there be signage in the area of the event? YES ☒ NO ☐

Number of signs/banners 2 banners

Size of signs/banners 14' x 5' (sample attached)

Submit a photo/drawing of the sign(s). **A sign permit is required.**

14. Will food/beverages/merchandise be sold? YES ☒ NO ☐

- Peddler/vendor permits must be submitted to the Clerk's Office, **at least two weeks prior to the event.**
- You must obtain approval from the Oakland County Health Department for all food/beverage sales/donations. Contact ehclerk@oakgov.com or 248-535-9612 to obtain Health Department approval.
- There is a \$50.00 application fee for all vendors and peddlers, in addition to the \$10.00 daily fee, per location.

LIST OF VENDORS/PEDDLERS

(attach additional sheet if necessary)

VENDOR NAME	GOODS TO BE SOLD	WATER HOOK- UP REQUIRED?	ELECTRIC REQUIRED?
TBD			

III. EVENT LAYOUT

- Include a map showing the park set up, street closures, and location of each item listed in this section.
- Include a map and written description of run/walk route and the start/finish area

1. Will the event require the use of any of the following municipal equipment?
(show location of each on map)

EQUIPMENT	QUANTITY	COST	NOTES
Picnic Tables		6 for \$200.00	A request for more than six tables will be evaluated based on availability.
Trash Receptacles		\$4.00 each	Trash box placement and removal of trash is the responsibility of the event. Additional cost could occur if DPS is to perform this work.
Dumpsters		\$250.00 per day	Includes emptying the dumpster one time per day. The City may determine the need for additional dumpsters based on event requirements.
Utilities (electric)	___ # of vendors requiring utilities	Varies	Charges according to final requirements of event.
Water/Fire Hydrant		Contact the Fire Department.	Applicant must supply their own means of disposal for all sanitary waste water. Waste water is NOT allowed to be poured into the street or on the grass.
Audio System		\$200.00 per day	Must meet with City representative.
Meter Bags / Traffic Cones / Barricades	# to be determined by the Police Department.		

2. Will the following be constructed or located in the area of the event? YES NO
(show location of each on map) NOTE: Stakes are not allowed.

TYPE	QUANTITY	SIZE
Tents/Canopies/Awnings (A permit is required for tents over 120 sq ft)	65	10'x10'
Portable Toilets	12	7 reg & 5 handicap
Rides		
Displays	TBD	
Vendors	TBD	
Temporary Structure (must attach a photo)		
Other (describe)		

SIGNATURE OF APPLICANT REQUIRED

EVENT NAME Day on the Town

EVENT DATE July 31, 2021

The Birmingham City Commission shall have sole and complete discretion in deciding whether to issue a permit. Nothing contained in the City Code shall be construed to require the City Commission to issue a permit to an applicant and no applicant shall have any interest or right to receive a permit merely because the applicant has received a permit in the past.

As the authorized agent of the sponsoring organization, I hereby agree that this organization shall abide by all conditions and restrictions specific to this special event as determined by the City administration and will comply with all local, state and federal rules, regulations and laws.

Jaimi Brook 1/22/2021
Signature Date

IV. SAMPLE LETTER TO NOTIFY ANY AFFECTED PROPERTY/BUSINESS OWNERS

- Organizer must notify all potentially affected residential property and business owners of the date and time this application will be considered by the City Commission. (*Sample letter attached to this application.*)
- Attach a copy of the proposed letter to this application. The letter will be reviewed and approved by the Clerk's Office. The letter must be distributed at least two weeks prior to the Commission meeting.
- A copy of the letter and the distribution list must be submitted to the Clerk's Office at least two weeks prior to the Commission meeting.
- If street closures are necessary, a map must be included with the letter to the affected property/business owners.

VII. CHECKLIST

ATTACHMENTS TO INCLUDE WITH SPECIAL EVENT APPLICATION

- Completed special event application
- Application fee (payable to "City of Birmingham")
- Map of event area detailing
 - street closures (**Police Department input required prior to submission of application**)
 - tents / canopies
 - tables
 - signs
 - trash receptacles / dumpsters
 - barricades
 - audio equipment / band
 - rides / inflatables
 - vendor booths
 - displays
 - portable toilets
 - layout of start/finish area (if on public property)
 - temporary structures or displays of any kind (picture required)
- Map of the route(s)
- Written route(s)
- Photo of display or temporary structure
- Sample of signs/banners - including size
- Hold Harmless Agreement (signed, on event sponsor's letterhead)
- Insurance Certificate
- Letter to affected property owners (must include map of event area or route)*
- List of addresses the letter was distributed (includes all residential and businesses in the event area, along the route, and affected by street closures)*
- List of vendors
- If fundraiser: Information about the beneficiary

****Letter to affected property owners and list of addresses must be submitted to the Clerk's Office at least two weeks prior to the Commission meeting.***

OFFICE USE ONLY

Received by _____

Date _____

License Number _____

The above highlighted items must be submitted by ¹⁴_____

Date of Commission meeting _____

The Birmingham Shopping District is committed to producing low-risk events during these unprecedented, ever-changing times. We will follow all applicable state and county safety guidelines. We have been in conversation with Chief Wells to make sure that our plans are in accordance with city regulations and safety standards. Since we are still several months away from the execution of our Day on the Town, it is not possible to say what the exact plans will be as guidelines continue to change.

DAY ON THE TOWN 2021 EVENT FOOTPRINT

Event Area A – (green) streets closed, tents in streets

Maple from Bates to Peabody

Old Woodward from Brown to Willits

Hamilton from N. Old Woodward to Ferndale

Pierce from W. Maple to Merrill

Merrill from Pierce to S. Old Woodward

Event Area B – (yellow) streets open, tents on sidewalk/right of way leaving walking path at least 5 feet wide

N. Old Woodward from 526 N. Old Woodward to 588 N. Old Woodward

Event Area C – (pink) streets open, only tables on sidewalks leaving walking path at least 5 feet wide

S. Old Woodward from Brown to Lincoln

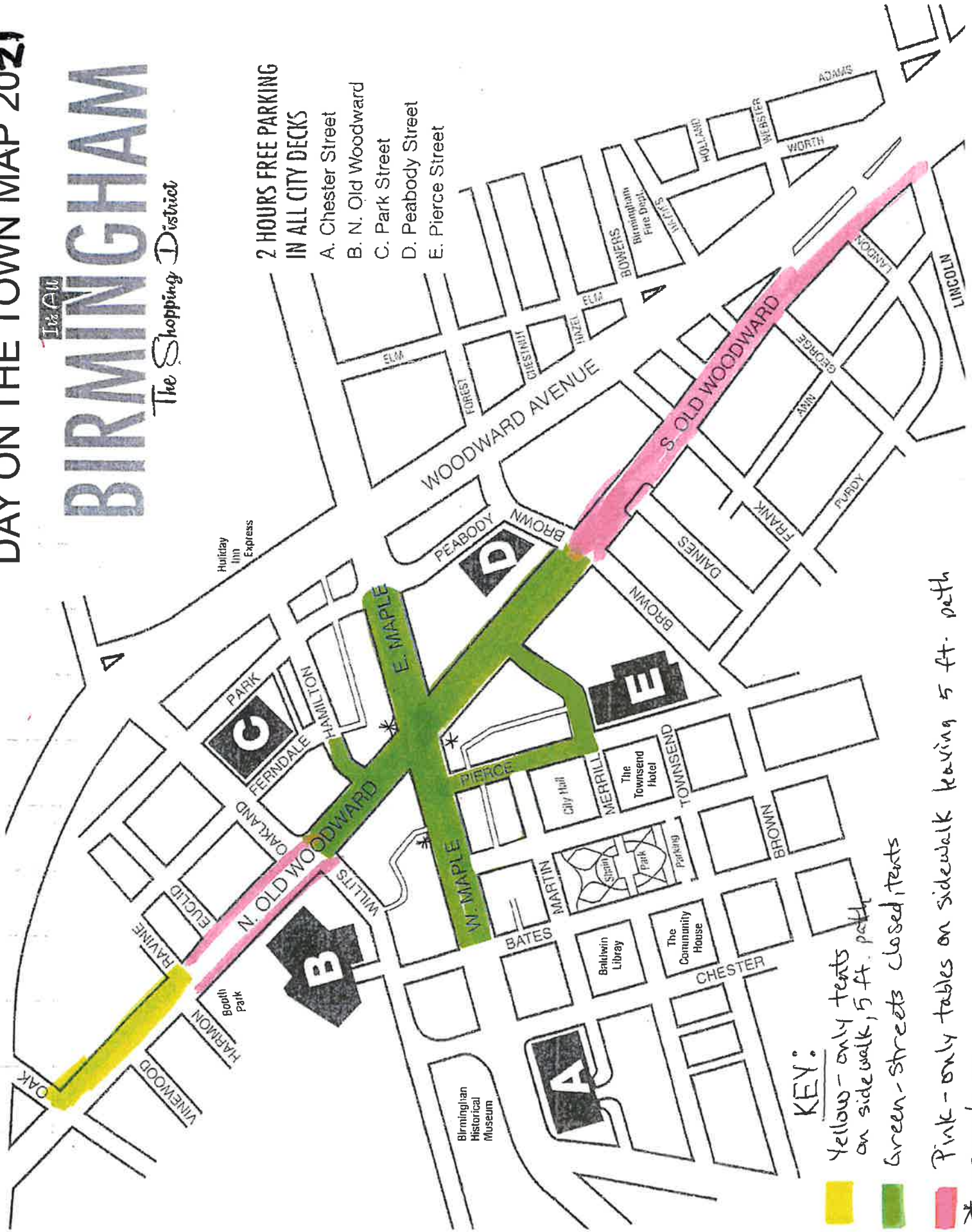
N. Old Woodward from Oak to 474 N. Old Woodward (Market North End)

It's All BIRMINGHAM

The Shopping District

2 HOURS FREE PARKING
IN ALL CITY DECKS

- A. Chester Street
- B. N. Old Woodward
- C. Park Street
- D. Peabody Street
- E. Pierce Street



KEY:

- Yellow - only tents on sidewalk, 5 ft. path
- Green - streets closed, tents
- Pink - only tables on sidewalk leaving 5 ft. path
- * - speakers

Sample



DAY ON THE TOWN

~~JULY 31~~
SATURDAY • ~~AUGUST 11~~ • 9 A.M. – 6 P.M.

FREE PARKING ALL DAY

**WHEN
UPSCALE
GOES ON
SALE**

WWW.ALLINBIRMINGHAM.COM

 BIRMINGHAM SHOPPING DISTRICT

  @BHAMSHOPPING

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Hamilton from Old Woodward to Ferndale
Pierce from Maple to Merrill; Merrill from Pierce to Old Woodward
Maple from Bates to Peabody
526 N. Old Woodward to 588 N. Old Woodward (no street closures)
S. Old Woodward from Brown to Lincoln (no street closures)
N. Old Woodward from Oak to 474 N. Old Woodward (no street closures)

DATES/TIMES: Saturday, July 31, 2021 from 9 a.m. until 6 p.m.

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For questions on day of event, contact BSD Operations & Events Manager, Jaimi Brook at 248-508-5518

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DATES/TIMES: Saturday, July 31, 2021 from 9 a.m. until 6 p.m.

DATE/TIME OF CITY COMMISSION MEETING: Monday, February 8, 2021 at 7:30 p.m.

The City Commission is currently meeting via Zoom <https://zoom.us/j/655079760>
Meeting ID: 655 079 760 A complete copy of the application to hold this special event is available for your review at the City Clerk's office 248-530-1880. To receive updates on special events held in the city log on to www.bhamgov.org/enotify.

EVENT ORGANIZER: Birmingham Shopping District
ADDRESS: 151 Martin
PHONE: 248-530-1200

For questions on day of event, contact BSD Operations & Events Manager, Jaimi Brook at 248-508-5518

BSD
151 Martin Street
Birmingham, MI 48009



1936206020
Occupant
370 E MAPLE RD
BIRMINGHAM, MI 48009

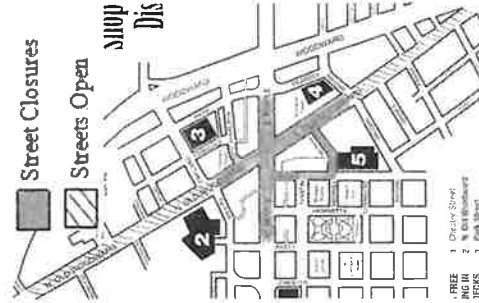
BSD
151 Martin Street
Birmingham, MI 48009



1936206021
Occupant

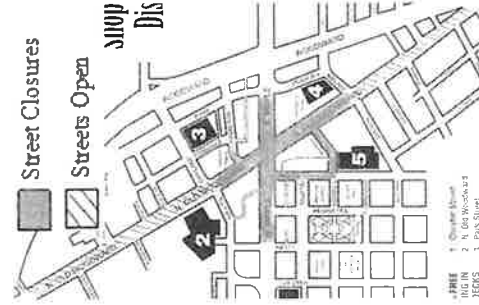
255 S OLD WOODWARD AVE
BIRMINGHAM, MI 48009

BSD
151 Martin Street
Birmingham, MI 48009



1936207001
Occupant
34977 WOODWARD AVE
BIRMINGHAM, MI 48009

BSD
151 Martin Street
Birmingham, MI 48009



1936207010
Occupant

34901 WOODWARD AVE
BIRMINGHAM, MI 48009



Liability & Property Pool

CERTIFICATE OF COVERAGE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED AS LISTED BELOW.

Name and Address of Participant:

City of Birmingham

151 Martin St., PO Box 3001
Birmingham, MI 48012-3001

Coverage Afforded:

Michigan Municipal League Liability and Property Pool
1675 Green Road
Ann Arbor, MI 48105-2530

Name and Address of Service Provider:

Meadowbrook, Inc.
P.O. Box 2054
Southfield, MI 48037-2054

This is to certify that the coverage listed below has been issued to the participant named above and is in-force at this time. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded herein is subject to all the terms, exclusions and conditions of the Pool contract.

Coverage	Contract Number	Expiration Date	Limits of Liability
<u>General Liability</u>	MML001444019	7/1/2021	\$10,000,000 Bodily Injury & Property Damage Combined Single Limit
<u>Automobile Liability</u>			
<u>Other</u>			

Description of Operations/Locations/Vehicles:

Certificate Holder Additional Insured solely with respect to: Services provided on behalf of the City of Birmingham.

CANCELLATION: Should any of the above described coverages be canceled before the expiration date thereof, the administrator will endeavor to mail 60 days' written notice to the certificate holder named below, but failure to mail such notice shall impose no obligation or liability of any kind upon the Pool.

Name and Address of Certificate Holder:

Birmingham Principal Shopping District
151 Martin St.
Birmingham, MI 48009

Date Issued: 6/23/2020

By: _____
Authorized Representative

DEPARTMENT APPROVALS

EVENT NAME: DAY ON THE TOWN

LICENSE NUMBER #21-00011938

COMMISSION HEARING DATE: 2/8/2021

NOTE TO STAFF: Please submit approval by **February 1, 2021**

DATE OF EVENT: 7/31/2021

DEPARTMENT	APPROVED	COMMENTS	PERMITS REQUIRED (Must be obtained directly from individual departments)	ESTIMATED COSTS (Must be paid two weeks prior to the event. License will not be issued if unpaid.)	ACTUAL COSTS (Event will be invoiced by the Clerk's office after the event)
PLANNING 101-000.000-634.0005 248.530.1855	TBC	No Cost No Comment		\$0	
BUILDING 101-000.000-634.0005 248.530.1850	MJM	1. All exits, exit accesses, and exit discharges must be maintained 2. Tents that require permits need a tent layout plan for review 3. All tents are required to have flame certification 4. Tents and canopies must be stabilized with weights 5. Electrical cords or water lines must be taped or matted to prevent trip hazards	All tents over 400 sqft.	\$166.11	
FIRE 101-000.000-634.0004 248.530.1900	JDP	BS & A Application Template 1. No Smoking in any tents or canopy. Signs to be posted. 2. All tents and Canopies must be flame resistant with certificate on site.		\$0	

- | | | | | | |
|--|--|--|--|--|--|
| | | <ol style="list-style-type: none">3. No open flame or devices emitting flame, fire or heat in any tents. Cooking devices shall not be permitted within 20 feet of the tents.4. Tents and Canopies must be properly anchored for the weather conditions, no stakes allowed.5. Clear Fire Department access of 12 foot aisles must be maintained, no tents, canopies or other obstructions in the access aisle unless approved by the Fire Marshal.6. Pre-event site inspection required.7. A prescheduled inspection is required for food vendors through the Bldg. dept. prior to opening.8. All food vendors are required to have an approved 5lbs. multi-purpose (ABC) fire extinguisher on site and accessible.9. Cords, hoses, etc. shall be matted to prevent trip hazards.10. Exits must be clearly marked in tents/structures with an occupant load over 50 people.11. Paramedics will respond from the fire station as needed. Dial 911 for fire/rescue/medical emergencies.12. A permit is required for Fire hydrant usage.13. Do Not obstruct fire hydrants or fire sprinkler connections on buildings.14. Provide protective barriers between hot surfaces and the public. | | | |
|--|--|--|--|--|--|

		15. All cooking hood systems that capture grease laden vapors must have an approved suppression system and a K fire extinguisher in addition to the ABC Extinguisher. 16. Suppression systems shall be inspected, tested, and properly tagged prior to the event. All Sprinkler heads shall be of the 155 degree Quick Response type unless serving an area of high heat and approved by the Fire Marshal. The suppression system shall have a continuous water supply as well as a secondary back up supply. Activation of the suppression system will shut down the ride and cause illumination of the exits.			
POLICE 101-000.000.634.0003 248.530.1870	SG	Personnel and Barricades		\$1300	
PUBLIC SERVICES 101-000.000-634.0002 248.530.1642	CL	Set up and Clean up costs including Barricades. ADDITIONAL COST COULD OCCUR IF TRASH IS NEEDED TO BE PICKED UP AFTER THE EVENT		\$3,000	
ENGINEERING 101-000.000.634.0002 248.530.1839	JS	They will need to provide a detour plan for Maple Road, which will require an Engineering Dept Review.	Permit from MDOT for signs that will need to be placed in the Woodward Ave (M-1) right-of-way	\$0	
SP+ PARKING	SG	Parking available in structures and on street.		\$0	\$0

INSURANCE 248.530.1807	AH	Insurance was turned in with the application		\$0	
CLERK 101-000.000-614.0000 248.530.1803	AH	Notification letters mailed by applicant no later than 1/25/2021. Notification addresses on file in the Clerk's Office. Evidence of required insurance must be on file with the Clerk's Office no later than 7/16/2021.	Applications for vendors license must be submitted no later than 7/16/2021.	\$165	
				TOTAL DEPOSIT REQUIRED \$4,631.11	ACTUAL COST

FOR CLERK'S OFFICE USE

Deposit paid _____

Actual Cost _____

Due/Refund_____



MEMORANDUM

Clerk's Office

DATE: February 8, 2021

TO: Tom Markus, City Manager

FROM: Alexandria Bingham, City Clerk

SUBJECT: Special Event - 2021 Birmingham Movie Nights

INTRODUCTION:

The Birmingham Shopping District has submitted a Special Event application to hold the 2021 Birmingham Movie Nights events on Fridays, June 11, July 16, and August 13, 2021. Rain dates are scheduled, if necessary, on Saturdays, June 12, July 17, and August 14, 2021. Set-up for the events will begin at noon on the day of the event. Event hours are 7:30 p.m. until 11:00 p.m. Tear-down will happen immediately following the completion of the event, ending by 11:30 p.m.

BACKGROUND:

Prior to application submission, the Police Department reviewed the proposed event details for street closures and the need for safety personnel and approved the details. DPS, Planning, Building, Engineering, Police, and Fire have indicated their approval. SP+ Parking has been notified of the event for planning purposes.

The following events occur in Birmingham June - August, and do not pose a conflict for this event:

Event Name	Date	Location
Farmers Market	May – October (Sundays)	Lot 6
In the Park Concerts	June – August (Wednesdays)	Shain Park
Parkinson's Walk	June 26	Seaholm H.S. & surrounding neighborhood or possibly First Presbyterian
Day on the Town	July 31	Downtown & Shain Park
Birmingham Cruise Event	August 21	South Old Woodward and Maple

LEGAL REVIEW:
n/a

FISCAL IMPACT:
n/a

SUMMARY

The City Commission is being asked to approve a special event permit for the 2021 Birmingham Movie Nights special event to be held June 11, July 16, and August 13, 2021, with rain dates of June 12 July 17, and August 14, 2021. Each event will begin at 7:30 p.m. The movie begins at dusk. Set up begins at noon. Tear-down will happen immediately following the completion of the event, ending by 11:30 p.m.

ATTACHMENTS:

1. Special Event application
2. Notification letter with map of event area distributed to residents/businesses within 300 feet of the event area on January 25, 2021. Notification addresses are on file in the Clerk's Office
3. Map of park
4. Certificate of Insurance
5. Department Approval page with comments and estimated costs

SUGGESTED RESOLUTION:

To approve a special event permit as requested by the Birmingham Shopping District to hold the 2021 Movie Nights on Fridays, June 11, July 16, and August 13, 2021, with rain dates scheduled on Saturdays, June 12, July 17, and August 14, 2021. Approval is 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.

**CITY OF BIRMINGHAM
APPLICATION FOR SPECIAL EVENT PERMIT
PARKS AND PUBLIC SPACES**

**IMPORTANT: EVENTS UTILIZING CITY SIDEWALKS AND/OR STREETS MUST MEET
WITH POLICE DEPARTMENT SPECIAL EVENT OFFICER TO REVIEW PROPOSED
EVENT DETAILS PRIOR TO SUBMITTING APPLICATION.**

Police Department acknowledgement: _____

I. EVENT DETAILS

- Incomplete applications will not be accepted.
- Changes in this information must be submitted to the City Clerk, in writing, at least three weeks prior to the event

FEES: **FIRST TIME EVENT:** **\$200.00**
 ANNUAL APPLICATION FEE: **\$165.00**

(Please print clearly or type)

Date of Application January 22, 2021

Name of Event Birmingham Movie Nights

Detailed Description of Event (attach additional sheet if necessary) _____

We will be holding 3 outdoor Movie Nights we may have pre-movie entertainment and sponsor booths.

We will follow all applicable state and county safety guidelines. See attachment for more details.

Location Booth Park

Date(s) of Event June 11, July 16, August 13, 2021* Hours of Event 7:30 p.m. (movie at dusk) - 11 p.m.
*rain dates 6/12, 7/17, 8/14, 2021

Date(s) of Set-up day of events Hours of Set-up 12 p.m. - 7:30 p.m.

NOTE: No set-up to begin before 7:00 AM, per City ordinance.

Date(s) of Tear-down day of events Hours of Tear-down end of movie - 11:30 p.m.

Organization Sponsoring Event Birmingham Shopping District

Organization Address 151 Martin St., Birmingham, MI 48009

Organization Phone 248-530-1200

Contact Person Jaimi Brook

Contact Phone 248-530-1254 office cell - 248-508-5518

Contact Email jbrook@bhamgov.org

II. EVENT INFORMATION

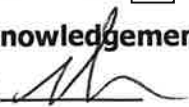
1. Organization Type City - Birmingham Shopping District
(city, non-profit, community group, etc.)
2. Additional Sponsors or Participants (Provide name, address, contact person, status, etc. for all additional organizations sponsoring your event.) TBD

3. Is the event a fundraiser? YES ☐ NO ☒
List beneficiary _____
List expected income _____
Attach information about the beneficiary.
4. First time event in Birmingham? YES ☐ NO ☒
If no, describe This will be the 16th annual event

5. Total number of people expected to attend per day 400
6. The event will be held on the following City property: (Please list)
☐ Street(s) _____

☐ Sidewalk(s) _____

☒ Park(s) Booth Park

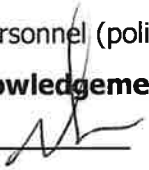
7. Will street closures be required? YES ☐ NO ☒
(Police Department acknowledgement prior to submission of application is required) (initial here) 
8. What parking arrangements will be necessary to accommodate attendance? Nearby parking deck and street parking will be sufficient

9. Will staff be provided to assist with safety, security and maintenance? YES ☒ NO ☐

If yes, please provide number of staff to be provided and any specialized training received.

Describe BSD event staff will be on-site throughout the event.

10. Will the event require safety personnel (police, fire, paramedics)? YES ☐ NO ☒

(Police Department acknowledgement prior to submission of application is required.) (initial here) 

Describe _____

11. Will alcoholic beverages be served? YES ☐ NO ☒

If yes, additional approval by the City Commission is required, as well as the Michigan Liquor Control Commission.

12. Will music be provided? YES ☒ NO ☐

X Live X Amplification X Recorded _____ Loudspeakers

Time music will begin 7:30 p.m.

Time music will end 10:30 p.m.

Location of live band, DJ, loudspeakers, equipment must be shown on the layout map.

13. Will there be signage in the area of the event? YES ☐ NO ☒

Number of signs/banners _____

Size of signs/banners _____

Submit a photo/drawing of the sign(s). **A sign permit is required.**

14. Will food/beverages/merchandise be sold? YES ☒ NO ☐

- Peddler/vendor permits must be submitted to the Clerk's Office, **at least two weeks prior to the event.**
- You must obtain approval from the Oakland County Health Department for all food/beverage sales/donations. Contact ehclerk@oakgov.com or 248-535-9612 to obtain Health Department approval.
- There is a \$50.00 application fee for all vendors and peddlers, in addition to the \$10.00 daily fee, per location.

LIST OF VENDORS/PEDDLERS

(attach additional sheet if necessary)

VENDOR NAME	GOODS TO BE SOLD	WATER HOOK- UP REQUIRED?	ELECTRIC REQUIRED?
TBD			

III. EVENT LAYOUT

- Include a map showing the park set up, street closures, and location of each item listed in this section.
- Include a map and written description of run/walk route and the start/finish area

1. Will the event require the use of any of the following municipal equipment?
(show location of each on map)

EQUIPMENT	QUANTITY	COST	NOTES
Picnic Tables		6 for \$200.00	A request for more than six tables will be evaluated based on availability.
Trash Receptacles		\$4.00 each	Trash box placement and removal of trash is the responsibility of the event. Additional cost could occur if DPS is to perform this work.
Dumpsters		\$250.00 per day	Includes emptying the dumpster one time per day. The City may determine the need for additional dumpsters based on event requirements.
Utilities (electric)	____ # of vendors requiring utilities	Varies	Charges according to final requirements of event.
Water/Fire Hydrant		Contact the Fire Department.	Applicant must supply their own means of disposal for all sanitary waste water. Waste water is NOT allowed to be poured into the street or on the grass.
Audio System		\$200.00 per day	Must meet with City representative.
Meter Bags / Traffic Cones / Barricades	# to be determined by the Police Department.		

2. Will the following be constructed or located in the area of the event? YES NO
(show location of each on map) NOTE: Stakes are not allowed.

TYPE	QUANTITY	SIZE
Tents/Canopies/Awnings (A permit is required for tents over 120 sq ft)	8	10' x 10'
Portable Toilets	2	1-reg, 1-handicap
Rides		
Displays		
Vendors		
Temporary Structure (must attach a photo)		
Other (describe)	10	6' tables

SIGNATURE OF APPLICANT REQUIRED

EVENT NAME Birmingham Movie Nights

EVENT DATE June 11, July 16, August 13, 2021 *rain dates 6/12, 7/17, 8/14/2021

The Birmingham City Commission shall have sole and complete discretion in deciding whether to issue a permit. Nothing contained in the City Code shall be construed to require the City Commission to issue a permit to an applicant and no applicant shall have any interest or right to receive a permit merely because the applicant has received a permit in the past.

As the authorized agent of the sponsoring organization, I hereby agree that this organization shall abide by all conditions and restrictions specific to this special event as determined by the City administration and will comply with all local, state and federal rules, regulations and laws.

Jaimi Brook 1/22/2021
Signature Date

IV. SAMPLE LETTER TO NOTIFY ANY AFFECTED PROPERTY/BUSINESS OWNERS

- Organizer must notify all potentially affected residential property and business owners of the date and time this application will be considered by the City Commission. (*Sample letter attached to this application.*)
- Attach a copy of the proposed letter to this application. The letter will be reviewed and approved by the Clerk's Office. The letter must be distributed at least two weeks prior to the Commission meeting.
- A copy of the letter and the distribution list must be submitted to the Clerk's Office at least two weeks prior to the Commission meeting.
- If street closures are necessary, a map must be included with the letter to the affected property/business owners.

VII. CHECKLIST

ATTACHMENTS TO INCLUDE WITH SPECIAL EVENT APPLICATION

- Completed special event application
- Application fee (payable to "City of Birmingham")
- Map of event area detailing
 - street closures **(Police Department input required prior to submission of application)**
 - tents / canopies
 - tables
 - signs
 - trash receptacles / dumpsters
 - barricades
 - audio equipment / band
 - rides / inflatables
 - vendor booths
 - displays
 - portable toilets
 - layout of start/finish area (if on public property)
 - temporary structures or displays of any kind (picture required)
- Map of the route(s)
- Written route(s)
- Photo of display or temporary structure
- Sample of signs/banners - including size
- Hold Harmless Agreement (signed, on event sponsor's letterhead)
- Insurance Certificate
- Letter to affected property owners (must include map of event area or route)*
- List of addresses the letter was distributed (includes all residential and businesses in the event area, along the route, and affected by street closures)*
- List of vendors
- If fundraiser: Information about the beneficiary

****Letter to affected property owners and list of addresses must be submitted to the Clerk's Office at least two weeks prior to the Commission meeting.***

OFFICE USE ONLY

Received by _____

Date _____

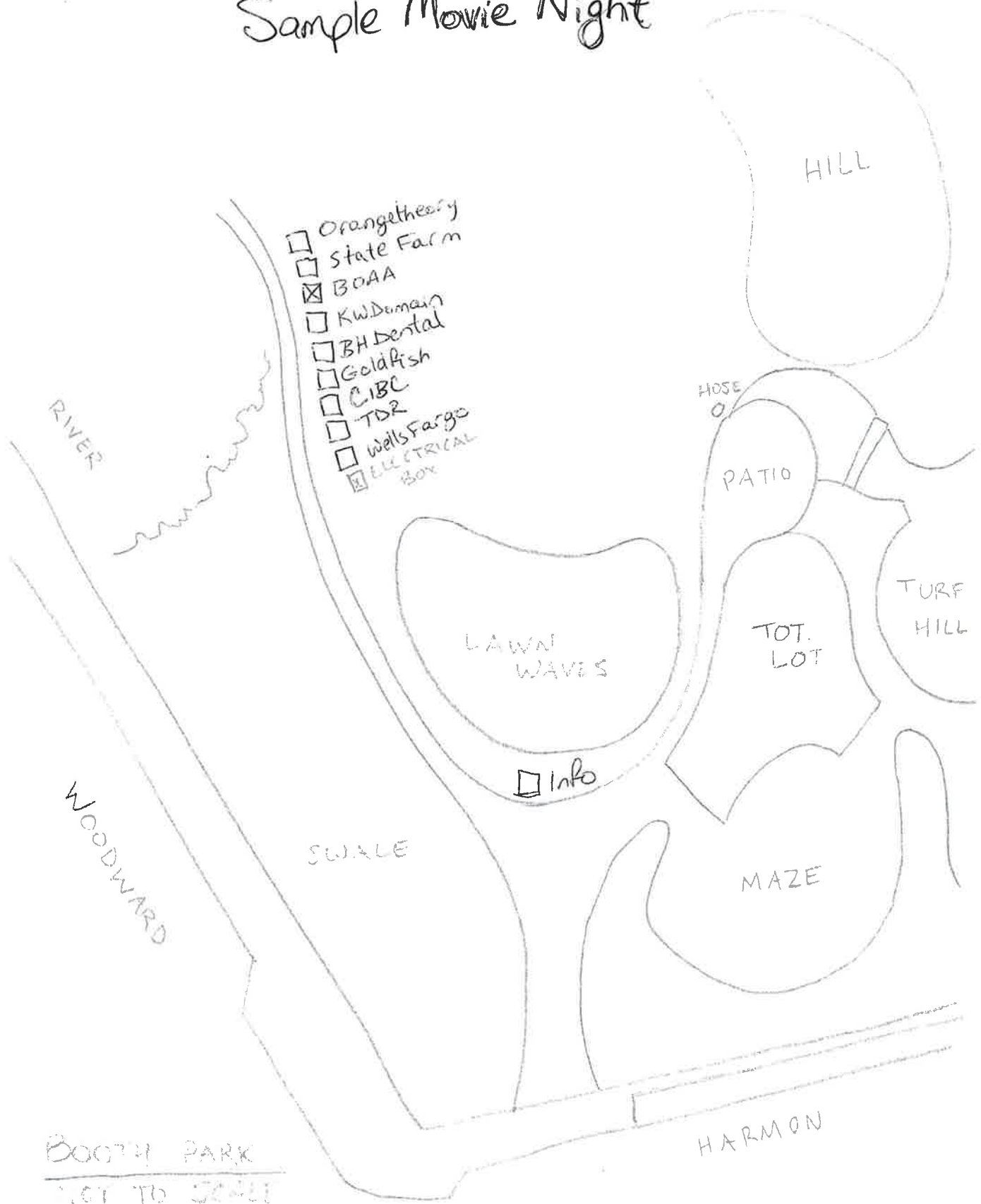
License Number _____

The above highlighted items must be submitted by ¹⁴_____

Date of Commission meeting _____

The Birmingham Shopping District is committed to producing low-risk events during these unprecedented, ever-changing times. We will follow all applicable state and county safety guidelines. We have been in conversation with Chief Wells to make sure that our plans are in accordance with city regulations and safety standards. Since we are still several months away from the execution of our movie nights, it is not possible to say what the exact plans will be as guidelines continue to change.

Sample Movie Night



NOTIFICATION

DATE: January 22, 2021

TO: Downtown Birmingham Business/Property Owner

The Birmingham City Code requires that we receive approval from the Birmingham City Commission to hold the following special event. The code further requires that we notify any property owners or business owners that may be affected by the special event of the date and time that the city commission will consider our request so that an opportunity exists for comments prior to this approval.

NAME OF EVENT: Birmingham Movie Nights

LOCATION: Booth Park

DATES/TIMES: Fridays—June 11, 2021; July 16, 2021; August 13, 2021
7:30 p.m. with movies beginning at dusk
Rain dates—Saturdays—June 12, July 17, August 14, 2021

DATE/TIME OF CITY COMMISSION MEETING: Monday, February 8, 2021 at 7:30 p.m.

The city commission is currently meeting via Zoom <https://zoom.us/j/655079760> Meeting ID: 655 079 760 . A complete copy of the application to hold this special event is available for your review at the city clerk's office (248/530-1880). To receive updates on special events held in the city log on to www.bhamgov.org/enotify.

EVENT ORGANIZER: Birmingham Shopping District

ADDRESS: 151 Martin, Birmingham, MI 48009

PHONE: 248-530-1200 day of event—248-508-5518

NOTIFICATION

DATE: January 22, 2021

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EVENT ORGANIZER: Birmingham Shopping District

ADDRESS: 151 Martin, Birmingham, MI 48009

PHONE: 248-530-1200 day of event—248-508-5518

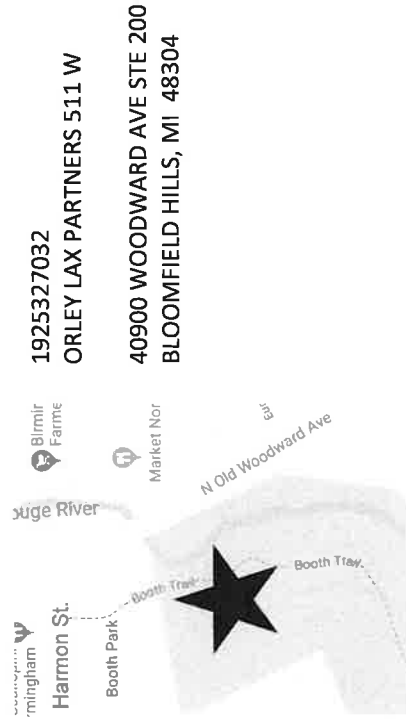
Birmingham PSD
151 Martin Street
Birmingham, MI 48009



1925327033
ANTONELLA GALASCO

535 N OLD WOODWARD AVE
BIRMINGHAM, MI 48009

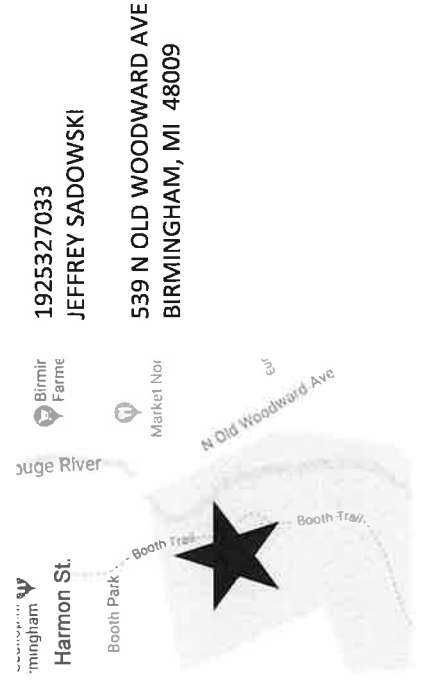
Birmingham PSD
151 Martin Street
Birmingham, MI 48009



1925327032
ORLEY LAX PARTNERS 511 W

40900 WOODWARD AVE STE 200
BLOOMFIELD HILLS, MI 48304

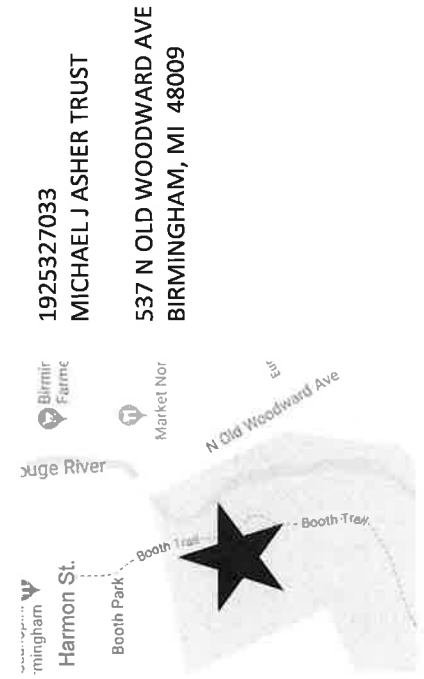
Birmingham PSD
151 Martin Street
Birmingham, MI 48009



1925327033
JEFFREY SADOWSKI

539 N OLD WOODWARD AVE
BIRMINGHAM, MI 48009

Birmingham PSD
151 Martin Street
Birmingham, MI 48009



1925327033
MICHAEL J ASHER TRUST

537 N OLD WOODWARD AVE
BIRMINGHAM, MI 48009



Liability & Property Pool

CERTIFICATE OF COVERAGE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED AS LISTED BELOW.

Name and Address of Participant:

City of Birmingham

151 Martin St., PO Box 3001
Birmingham, MI 48012-3001

Coverage Afforded:

Michigan Municipal League Liability and Property Pool
1675 Green Road
Ann Arbor, MI 48105-2530

Name and Address of Service Provider:

Meadowbrook, Inc.
P.O. Box 2054
Southfield, MI 48037-2054

This is to certify that the coverage listed below has been issued to the participant named above and is in-force at this time. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded herein is subject to all the terms, exclusions and conditions of the Pool contract.

Coverage	Contract Number	Expiration Date	Limits of Liability
<u>General Liability</u>	MML001444019	7/1/2021	\$10,000,000
<u>Automobile Liability</u>			Bodily Injury & Property Damage Combined Single Limit
<u>Other</u>			

Description of Operations/Locations/Vehicles:

Certificate Holder Additional Insured solely with respect to: Occasional rental of showmobile for Birmingham Principal Shopping District and the City of Birmingham.

CANCELLATION: Should any of the above described coverages be canceled before the expiration date thereof, the administrator will endeavor to mail 60 days' written notice to the certificate holder named below, but failure to mail such notice shall impose no obligation or liability of any kind upon the Pool.

Name and Address of Certificate Holder:

County of Oakland
2100 Pontiac Lake Rd., Bldg. 41 West
Waterford, MI 48328

Date Issued: 6/23/2020

By: _____
Authorized Representative

DEPARTMENT APPROVALS

EVENT NAME: Birmingham Movie Nights

LICENSE NUMBER #21-00011938

COMMISSION HEARING DATE: 2/8/2021

NOTE TO STAFF: Please submit approval by **February 1, 2021**

DATE OF EVENT: 6/11, 7/16, 8/13
With rain dates (6/12, 7/17, 8/14)

DEPARTMENT	APPROVED	COMMENTS	PERMITS REQUIRED (Must be obtained directly from individual departments)	ESTIMATED COSTS (Must be paid two weeks prior to the event. License will not be issued if unpaid.)	ACTUAL COSTS (Event will be invoiced by the Clerk's office after the event)
PLANNING 101-000.000-634.0005 248.530.1855	TBC	No Cost No Comment		\$0	
BUILDING 101-000.000-634.0005 248.530.1850	MJM	Any tents over 400 sqft. Requires a permit. All tents/canopies must be weighted down regardless of size.		\$161.11	
FIRE 101-000.000-634.0004 248.530.1900	JDP	BS & A Application Template 1. No Smoking in any tents or canopy. Signs to be posted. 2. All tents and Canopies must be flame resistant with certificate on site. 3. No open flame or devices emitting flame, fire or heat in any tents. Cooking devices shall not be permitted within 20 feet of the tents.		\$0	

- | | | | | | |
|--|--|---|--|--|--|
| | | <ol style="list-style-type: none">4. Tents and Canopies must be properly anchored for the weather conditions, no stakes allowed.5. Clear Fire Department access of 12 foot aisles must be maintained, no tents, canopies or other obstructions in the access aisle unless approved by the Fire Marshal.6. Pre-event site inspection required.7. A prescheduled inspection is required for food vendors through the Bldg. dept. prior to opening.8. All food vendors are required to have an approved 5lbs. multi-purpose (ABC) fire extinguisher on site and accessible.9. Cords, hoses, etc. shall be matted to prevent trip hazards.10. Exits must be clearly marked in tents/structures with an occupant load over 50 people.11. Paramedics will respond from the fire station as needed. Dial 911 for fire/rescue/medical emergencies.12. A permit is required for Fire hydrant usage.13. Do Not obstruct fire hydrants or fire sprinkler connections on buildings.14. Provide protective barriers between hot surfaces and the public.15. All cooking hood systems that capture grease laden vapors must have an approved suppression system and a K fire | | | |
|--|--|---|--|--|--|

		extinguisher in addition to the ABC Extinguisher. 16. Suppression systems shall be inspected, tested, and properly tagged prior to the event. All Sprinkler heads shall be of the 155 degree Quick Response type unless serving an area of high heat and approved by the Fire Marshal. The suppression system shall have a continuous water supply as well as a secondary back up supply. Activation of the suppression system will shut down the ride and cause illumination of the exits.			
POLICE 101-000.000.634.0003 248.530.1870	SG	On duty personnel will provide extra patrol.		\$0	\$0
PUBLIC SERVICES 101-000.000-634.0002 248.530.1642	CL	No stakes driven in the ground. Estimated costs include: Banner placement and removal. Barricade placement and removal for each event. Set up and clean up for each event even if the event is cancelled.		\$3,300	
ENGINEERING 101-000.000.634.0002 248.530.1839	JS			\$0	
SP+ PARKING	SG	No concerns, available on street parking.		\$0	\$0
INSURANCE 248.530.1807	AH	Received insurance with application		\$0	

CLERK 101-000.000-614.0000 248.530.1803	AH	Notification letters mailed by applicant no later than 1/25/2021. Notification addresses on file in the Clerk's Office. Evidence of required insurance must be on file with the Clerk's Office no later than 6/2/2021.	Applications for vendor's license must be submitted no later than 6/2/2021.	\$165	
				TOTAL DEPOSIT REQUIRED \$3,626.11	ACTUAL COST

FOR CLERK'S OFFICE USE

Deposit paid _____

Actual Cost _____

Due/Refund _____



MEMORANDUM

Clerk's Office

DATE: February 8, 2021

TO: Tom Markus, City Manager

FROM: Alex Bingham, City Clerk

SUBJECT: Set date for City Commission's review of 2020 Liquor License and consideration of 2021 Liquor License Renewals

INTRODUCTION:

Annually, the City Commission reviews the liquor licenses of establishments which sell intoxicating liquor for consumption on the premises in the city and to consider the renewal of those licenses. The Commission is requested to set the date of Monday, February 22, 2021 at 7:30 PM for the review and renewal of the licenses, as required by Chapter 10, Alcoholic Liquors of the Birmingham Code of Ordinances.

BACKGROUND:

After reviewing the results of the annual investigation by the Building, Planning, Police, Fire and Finance Departments, the City Commission considers renewal of all existing licenses for consumption of intoxicating liquor on the premises in the city.

LEGAL REVIEW:

None required.

FISCAL IMPACT

No fiscal impact.

ATTACHMENTS:

None

SUGGESTED RESOLUTION:

Resolution setting Monday, February 22, 2021 at 7:30 PM to consider the renewal of all existing liquor licenses in the city.



MEMORANDUM

Planning Division

DATE: February 2, 2021

TO: Thomas M. Markus, City Manager

FROM: Jana L. Ecker, Planning Director

SUBJECT: Public Hearing – Special Land Use Permit and Final Site Plan and Design Review – 251 E. Merrill, Suite 236 – Tapper’s Gold Exchange

INTRODUCTION:

The subject site is located at 251 E. Merrill, Suite 236, a storefront space located within the Merrillwood Building on the second floor. The property is zoned B4 (Business Residential). The applicant is seeking approval of a Special Land Use Permit and Final Site Plan and Design to permit the operation of Tapper’s Gold Exchange, which is a jewelry store that includes the buying and selling of precious metals and jewelry. Tapper’s currently has existing locations in West Bloomfield, Novi and Somerset in Troy.

As Tapper’s proposes to buy and sell precious metals and jewelry, the operation falls under the definition of a pawnshop in the Zoning Ordinance. Article 9, section 9.02 defines pawnshops and specifically states that “A pawnshop includes establishments that buy personal property, such as jewelry or artwork, made of gold or other valuable metals for refining”. Article 9, section 9.02 further states that pawnshops are regulated uses, and thus require a valid Special Land Use Permit.

Accordingly, the applicant is required to obtain a recommendation from the Planning Board on the Final Site Plan and Special Land Use Permit, and then obtain approval from the City Commission for the Final Site Plan and Special Land Use Permit to allow the operation of Tapper’s Gold Exchange.

BACKGROUND:

On December 9, 2020, the Planning Board reviewed the application submitted by Tapper’s Gold Exchange to operate a regulated use, and voted unanimously to recommend approval of both the Final Site Plan and Special Land Use Permit to the City Commission to permit the operation of Tapper’s Gold Exchange as a regulated use at 251 E. Merrill, Suite 236.

LEGAL REVIEW:

The City Attorney has reviewed this request and has no concerns.

FISCAL IMPACT:

There are no fiscal impacts for this agenda item.

SUMMARY:

The Planning Division recommends that the City Commission consider approval of the Special Land Use Permit, Final Site Plan and Design Review to allow the operation of Tapper's Gold Exchange at 251 E. Merrill, suite 236.

ATTACHMENTS:

Please find attached the following documents for your review:

- Draft Special Land Use Permit Resolution
- Staff Report to the Planning Board
- Plans and photos of proposed changes
- Application and additional documents submitted by applicant
- Meeting minutes

SUGGESTED RESOLUTION:

To approve the Special Land Use Permit, Final Site Plan and Design Review to allow the operation of Tapper's Gold Exchange at 251 E. Merrill, suite 236.

**TAPPER'S GOLD EXCHANGE
251 E. Merrill, Suite 236
SPECIAL LAND USE PERMIT
2021**

WHEREAS, TAPPER'S GOLD EXCHANGE filed an application pursuant to Article 7, section 7.34 of Chapter 126, Zoning, of the City Code to operate an independent senior living facility in the O2 Zoning District in accordance with Article 2, Section 2.23(C)(2) of Chapter 126, Zoning, of the City Code;

WHEREAS, The land for which the Special Land Use Permit is sought is located on the north side of E. Merrill just west of S. Old Woodward;

WHEREAS, The land is zoned B4, and is located in the D4 zone within the Downtown Birmingham Overlay District, which permits the operation of establishments that buy and sell precious metals and jewelry as a regulated use 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 applicant submitted an application for a Special Land Use Permit and Final Site Plan and Design Review for TAPPER'S GOLD EXCHANGE to operate at 251 E. Merrill, Suite 236;

WHEREAS, On December 9, 2020, the Planning Board reviewed the application submitted by Tapper's Gold Exchange to operate a regulated use, and voted unanimously to recommend approval of both the Final Site Plan and Special Land Use Permit to the City Commission to permit the operation of Tapper's Gold Exchange as a regulated use at 251 E. Merrill, Suite 236;

WHEREAS, The Birmingham City Commission has reviewed the TAPPER'S GOLD EXCHANGE 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 the TAPPER'S GOLD EXCHANGE application for a Special Land Use Permit and Final Site Plan and Design at 251 E. Merrill, Suite 236 is hereby approved;

BE IT FURTHER RESOLVED, That the City Commission determines that to assure 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. TAPPER'S GOLD EXCHANGE shall abide by all provisions of the Birmingham City Code; and

2. The Special Land Use Permit Amendment 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, TAPPER'S GOLD EXCHANGE 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 TAPPER'S GOLD EXCHANGE to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit.

MAY IT BE FURTHER RESOLVED that TAPPER'S GOLD EXCHANGE is recommended for the operation of a pawnshop that buys and sells precious metals and jewelry, subject to final inspection.

I, Alexandria Bingham, Acting 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 February 8, 2021.

Alexandria Bingham
City Clerk



MEMORANDUM

Planning Division

DATE: December 2, 2020

TO: Planning Board

FROM: Jana L. Ecker, Planning Director

SUBJECT: 251 E. Merrill, Suite 236 – Tapper's Gold Exchange (second floor within the Merrillwood Building)
Special Land Use Permit and Final Site Plan Review

Executive Summary

The subject site is located at 251 E. Merrill, Suite 236, a storefront space located within the Merrillwood Building on the second floor. The property is zoned B4 (Business Residential). The applicant is seeking approval of a Special Land Use Permit and Final Site Plan and Design to permit the operation of Tapper's Gold Exchange, which is a jewelry store that includes the buying and selling of precious metals and jewelry. Tapper's currently has existing locations in West Bloomfield, Novi and Somerset in Troy.

As Tapper's proposes to buy and sell precious metals and jewelry, the operation falls under the definition of a pawnshop in the Zoning Ordinance. Article 9, section 9.02 defines pawnshops and specifically states that "A pawnshop includes establishments that buy personal property, such as jewelry or artwork, made of gold or other valuable metals for refining". Article 9, section 9.02 further states that pawnshops are regulated uses, and thus require a valid Special Land Use Permit. Accordingly, the applicant is required to obtain a recommendation from the Planning Board on the Final Site Plan and Special Land Use Permit, and then obtain approval from the City Commission for the Final Site Plan and Special Land Use Permit to allow the operation of Tapper's Gold Exchange.

1.0 Land Use and Zoning

- 1.1 Existing Land Use – There is an existing seven story building on the site with first floor retail space, and office use and residential units on the upper floors.
- 1.2 Existing Zoning – The property is currently zoned B4 (Business Residential). The existing use and surrounding uses appear to conform to the permitted uses of the Zoning Ordinance.
- 1.3 Summary of Land Use and Zoning - The following chart summarizes existing land use and zoning adjacent to and/or in the vicinity of the subject site.

	North	South	East	West
Existing Land Use	Retail & Commercial	Commercial	Single Family Residential	Booth Park
Existing Zoning District	B4, Business Residential	B4, Business Residential	B4, Business Residential	B4, Business Residential
Overlay Zoning District	D4	D4	D4	D4

2.0 Use, Setback and Height Requirements

The applicant is not proposing any changes to the footprint or massing of the existing building, nor to the exterior of the building on any facade. No external signage is proposed.

As noted above, Tapper's proposed operation falls under the definition of a pawnshop in the Zoning Ordinance and is thus a regulated use. Article 5, Section 5.21 provides the following standards for regulated uses in a B4 zone district:

Regulated uses are permitted if located more than 1,000 feet from any lot for which a certificate of occupancy has been issued for another regulated use. No more than 1 regulated use shall be permitted in a single building. The City Commission shall hear and deny, approve or approve with conditions all requests for permission to carry on a regulated use where a regulated use is permitted, in accordance with Article 7.

Please see attached map demonstrating that shows that 251 E. Merrill is not within 1000' of any other regulated use. The Palladium Theater was approved as a regulated use due to the presence of electronic video games in the lobby. However, Emagine took over the movie theater several years ago and removed all electronic video games and thus did not require nor obtain approval of a regulated use under the new ownership. Thus, Tapper's proposed regulated use is located 1000' or more from all nearby regulated uses, thus meeting the requirement of section 5.21 of the Zoning Ordinance.

The proposed jewelry store will be located entirely within the building on the second floor. Public access to the store will be through the building, there is no public access from the street level. The applicant has provided photos of the space, which are attached for your review. Tapper's Gold Exchange is proposing to have hours by appointment only Monday through Thursday, and to be open to walk in customers on Saturdays from 10:00am to

5:00pm. Tapper's currently has three locations in West Bloomfield, Novi and Troy. The applicant has provided information from their existing website to provide background on their business. Tapper's in Birmingham will be a small scale operation selling jewelry, watches and gemstones, and will also purchase and trade high end luxury jewelry, watches, gemstones and precious metals.

4.0 Screening and Landscaping

- 4.1 Mechanical Screening –The applicant is not proposing the addition of any new mechanical equipment, nor screening.
- 4.2 Dumpster Screening – The applicant is not proposing the addition of any new dumpsters.
- 4.3 Parking Lot Screening – The applicant is not required to provide any off street parking as the site is located within the Parking Assessment District.
- 4.4 Landscaping – There are currently 5 street trees existing along the frontage of 251 E. Merrill, all are proposed to remain.

5.0 Parking, Loading, Access, and Circulation

- 5.1 Parking – As stated above, the applicant is not required to provide any parking spaces for commercial or retail uses as the site is located in the Parking Assessment District.
- 5.2 Loading – No additional loading spaces are required nor proposed.
- 5.3 Vehicular Access & Circulation –Most patrons that will arrive at Tapper's Gold Exchange will park on the street or in a City parking garage to access the jewelry store.
- 5.4 Pedestrian Access & Circulation – There is a City sidewalk running along E. Merrill Street that provides access to building and lobby entrance. From the lobby, patrons of Tapper's will use the stairs or an elevator to move to the second floor common space from which patrons can access the proposed Tapper's Gold Exchange, as well as to a front door for the building as a whole. From the main building entry.
- 5.5 Streetscape – As stated above, there is an existing completed streetscape along E. Merrill, with the required street lighting, street trees and sidewalk. The sidewalk is broom finish concrete, and the furnishing zone between the sidewalk and the curb is currently exposed aggregate concrete as required. No changes are required, nor proposed.

6.0 Lighting

The applicant is not proposing any new exterior lighting or signage on the Merrillwood Building.

7.0 Departmental Reports

- 7.1 **Engineering Division** – The Engineering Department has no concerns.
- 7.2 **Department of Public Services** – The DPS has no concerns.
- 7.3 **Fire Department** – The Fire Department has no concerns, but notes that all Fire Protection Code standards must be met prior to opening.
- 7.4 **Police Department** - The Police Department has no concerns.
- 7.5 **Building Department** –The Building Department has no concerns, but notes that a tenant buildout permit will be required prior to opening.

8.0 Design Review

The applicant redesigned the main building entrance and was approved for this in 2019 (plans attached). No changes are proposed at this time to the exterior of the building. No exterior signage is proposed.

10.0 Approval Criteria for Final Site Plan

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 not diminish the value thereof.
 - (4) The site plan, and its relation to streets, driveways and sidewalks, shall be such as to not interfere with or be hazardous to vehicular and pedestrian traffic.
 - (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.
-

11.0 Approval Criteria for Regulated Uses

Article 7, section 7.21 of the Zoning Ordinance specifies the procedures and approval criteria for Regulated Uses. Section 7.21 states:

- A. The City Commission shall approve a request for a regulated use if it determines that all of the following standards are met:
 - A. The use will be compatible with adjacent uses of land, considering the proximity of dwellings, religious institutions, schools, public structures, and other places of public gatherings.
 - B. The use will not adversely impact the capabilities of public services and facilities including sewers, water, schools, transportation, and the ability of the City to supply such services.
 - C. The use will not adversely impact any cultural or historic landmarks.
 - D. The use is in compliance with all other requirements of this Zoning Ordinance.
 - E. The use is in compliance with federal, state, and local laws and regulations.
- B. In addition, all of the Special Land Use Permit requirements contained in [Article 7](#) must be met for the City Commission to approve such a request for a regulated use.

Based on a review of the Tapper's Gold Exchange submittal, the Planning Division finds that the proposed jewelry store use that includes the buying and selling of precious metals and jewelry is compatible with the uses adjacent to and within the building at 251 E. Merrill and will not adversely impact the capacity of public services or facilities, particularly given the primarily appointment only service. The proposed use is in compliance with all other requirements of the Zoning Ordinance and the proposed use will not adversely impact any historic landmarks as it is fully enclosed within the building.

12.0 Approval Criteria for Special Land Use Permits

Article 7, section 7.34 of the Zoning Ordinance specifies the procedures and approval criteria for Special Land Use Permits. Use approval, site plan approval, and design review are the responsibilities of the City Commission. This section reads, in part:

Prior to its consideration of a special land use application (SLUP) for an initial permit or an amendment to a permit, the **City Commission shall refer the site plan and the design to the Planning Board for its review and recommendation. After receiving the recommendation, the City Commission shall review the site plan and design of the buildings and uses proposed** for the site described in the application of amendment.

The City Commission's approval of any special land use application or amendment pursuant to this section shall constitute approval of the site plan and design.

Additionally, Article 7, Section 7.36 states that the City Commission shall not approve of any requests for a special land use permit unless it determines that the following standards are met:

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.

Based on a review of the Tapper's Gold Exchange submittal, the Planning Division finds that the proposed jewelry store use that includes the buying and selling of precious metals and jewelry is consistent with the intent and purpose of the Zoning Ordinance, and is compatible with the uses adjacent to and within the building at 251 E. Merrill. The proposed use is in compliance with all other requirements of the Zoning Ordinance and the proposed use will not be injurious to the surrounding neighborhood, particularly given the primarily appointment only service.

12.0 Suggested Action

Based on a review of the site plans submitted, the Planning Division recommends that the Planning Board recommend approval of the Final Site Plan and SLUP to the City Commission to permit the operation of Tapper's Gold Exchange as a regulated use at 251 E. Merrill, Suite 236.

13.0 Sample Motion Language

The Planning Board recommends approval of the Final Site Plan to the City Commission to permit the operation of Tapper's Gold Exchange at 251 E. Merrill, Suite 236.

AND

The Planning Board recommends approval of the Special Land Use Permit to the City Commission to permit the operation of Tapper's Gold Exchange as a regulated use at 251 E. Merrill, Suite 236.

OR

Motion to recommend DENIAL of the Final Site Plan and SLUP to the City Commission for 251 E. Merrill, Suite 236, Tapper's Gold Exchange for the following reasons:

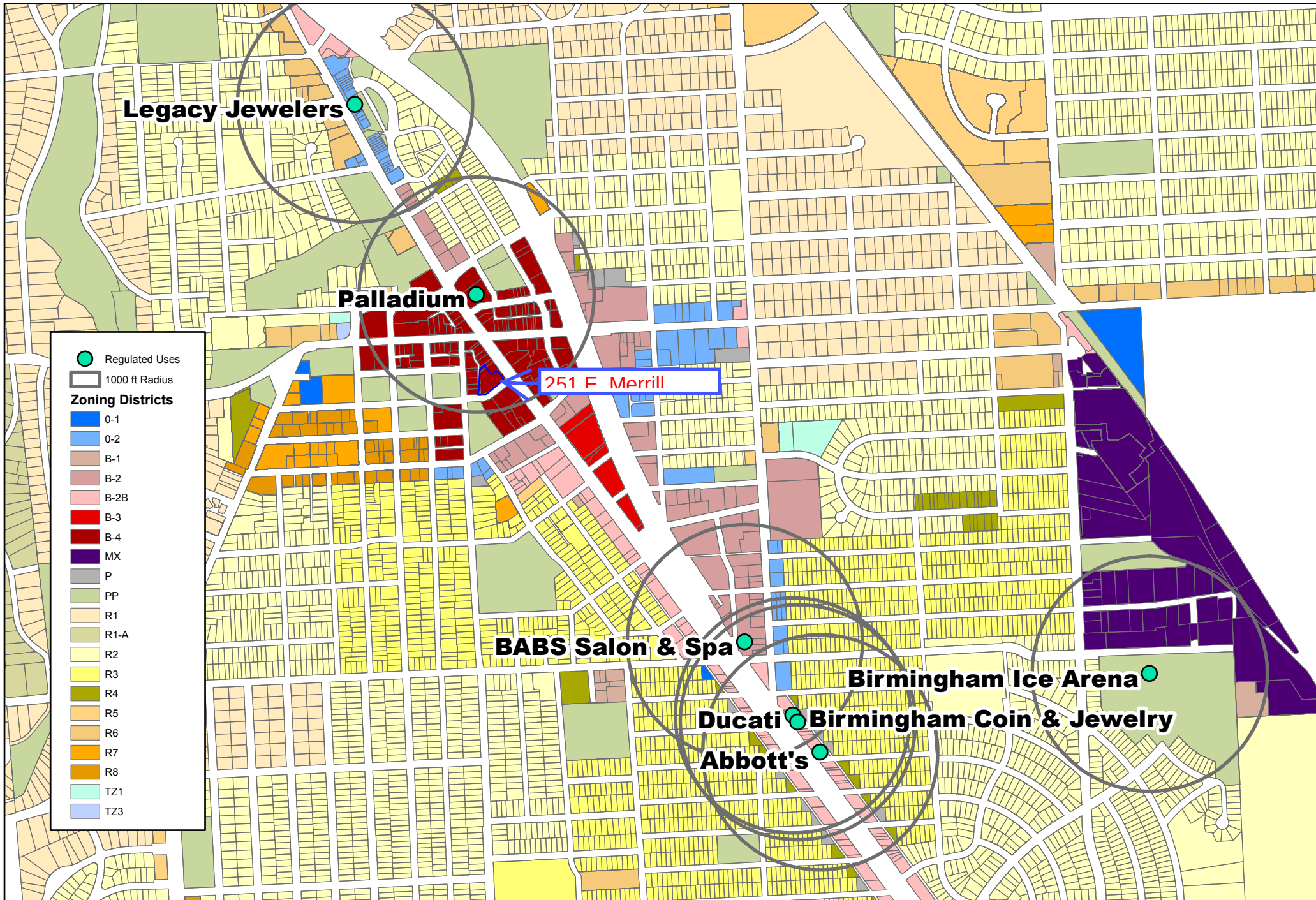
1. _____
 2. _____
-

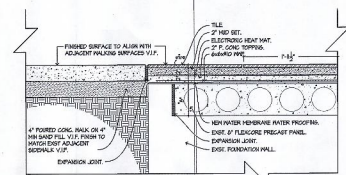
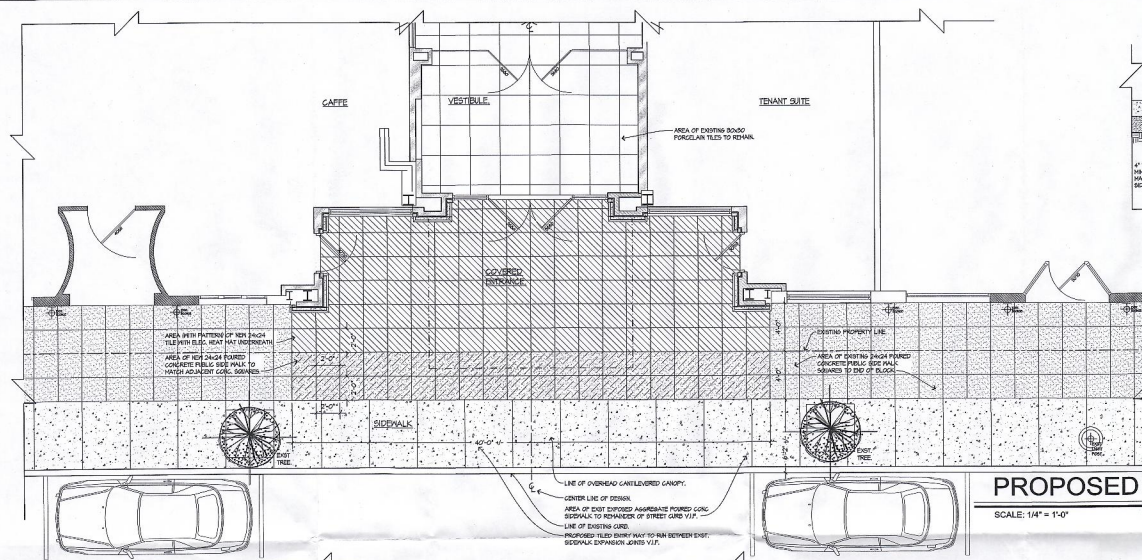
3. _____
4. _____

OR

Motion to recommend POSTPONEMENT of the Final Site Plan and SLUP to the City Commission
for 251 E. Merrill, Suite 236, Tapper's Gold Exchange.

2020 Regulated Special Uses



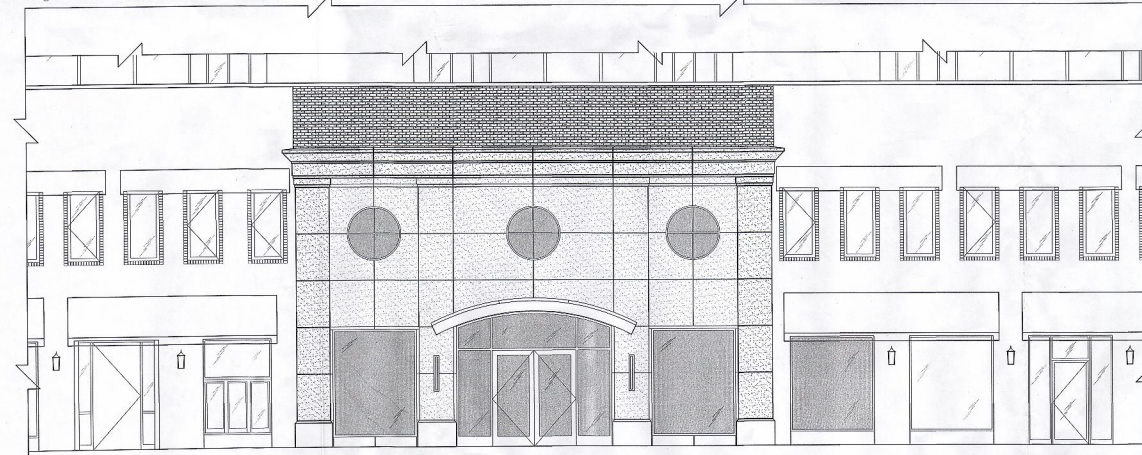


DETAIL
SCALE: 1" = 1'-0"

RECEIVED
OCT 21 2018
CITY OF BIRMINGHAM
COMMUNITY DEVELOPMENT DEPARTMENT

APPROVED
10/22/18
PAUL A. HILL

PROPOSED PLAN
SCALE: 1/4" = 1'-0"



PROPOSED ELEVATION
SCALE: 1/4" = 1'-0"

HELLER & ASSOCIATES
DESIGN + BUILD

MERRILLWOOD BUILDING
251 E. MERRILL STREET BIRMINGHAM, MI 48009

COMMERCIAL ENTRY OVERVIEW

DESIGN BY:
S. HILL
D. PURMAN
DRAWN BY:
A. WICKSTEDT, EXIST

ISSUED / FOR:
BRICKY NUMBER 100
BATH / BATH #10
KITCH / KITCH #10

PAGE NO. 8

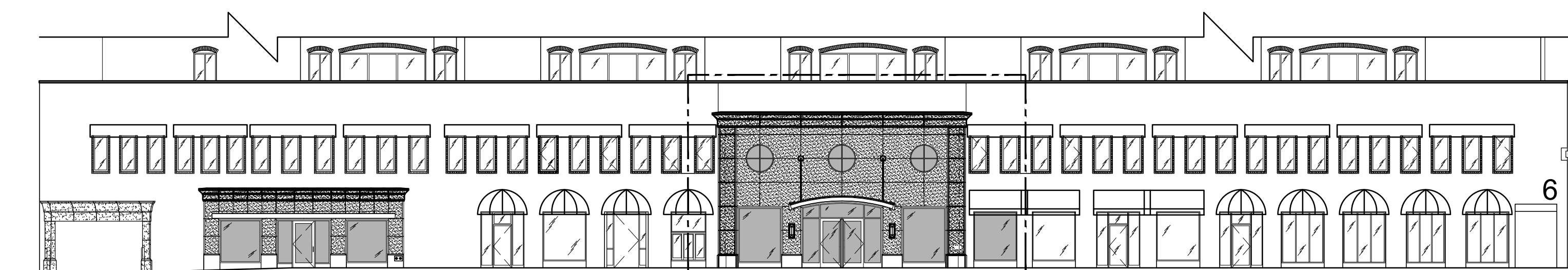
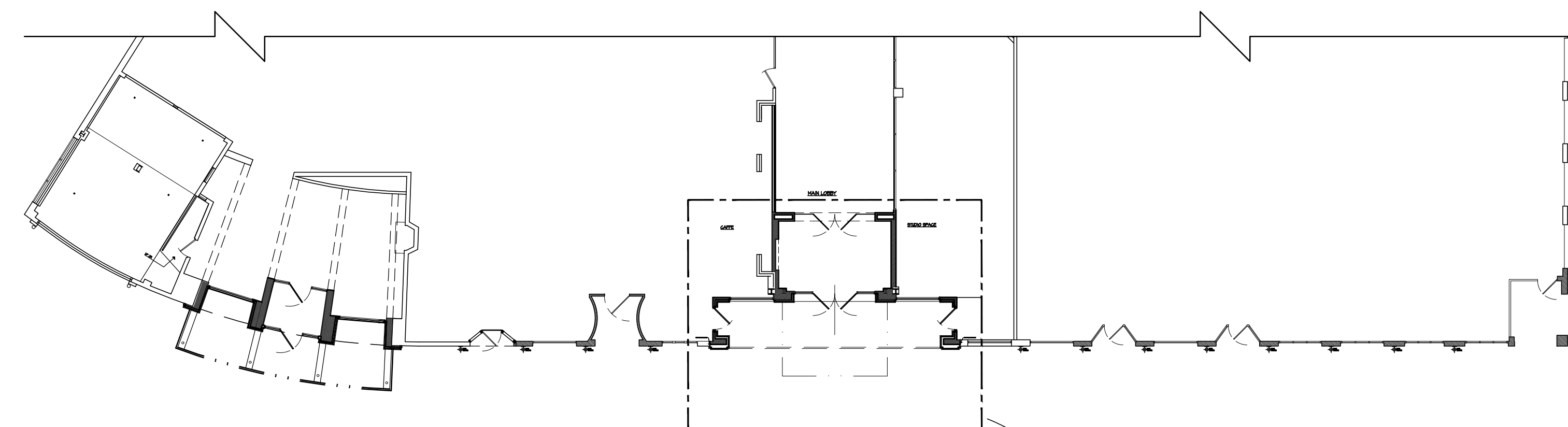
MATERIAL SCHEDULE.				
MATERIAL	FINISH	LOCATION	SPEC.	DESCRIPTION
LIMESTONE	SMOOTH FACE. COLOR: BUFF	COMMERCIAL, APARTMENT, & GARAGE ENTRANCE AREA(S).		STANDARD RAKED MORTAR JOINTS TO MATCH EXST. ARCH.
GLASS - CANOPY	GLASS = CLEAR.	COMMERCIAL LOBBY CANOPY.	SAFETY LAMINATED TEMPERED.	
STEEL	BLACK.	COMMERCIAL LOBBY CANOPY.	FINAL STL. COMPONENTS PER FABRICATORS SPECIFICATIONS.	EXPOSED STRUCTURAL MEMBERS, HARDWARE, AND FASTENERS.
WALL SCIENCE	MATTE BLACK.	COMMERCIAL LOBBY ENTRANCE.	MILLENNIUM FREESCALE FSB48T-3E-MFA-MB- 6TIL40K-O-D-V	MATTE PEARLESCENT HIGH IMPACT ACRYLIC LENS.
GLASS & ALUMINUM - DR/WINDOW	GLASS = CLEAR. FRAME = EXTRA DARK BRONZE.	COMMERCIAL, APARTMENT, & GARAGE ENTRANCE AREA(S).	14000 SERIES FLUSH GLAZE TUBELITE	1" INSULATED TEMPERED GLASS.
GRANITE STONE	SMOOTH = BLACK TO MATCH EXST. ARCH. V.I.F.	COMMERCIAL, APARTMENT, & GARAGE ENTRANCE AREA(S).		STONE TO MATCH CHARACTERISTICS OF EXST. STONE UNDER STORE FRONT INVOIS ALONG REST OFF FACADE.
E.I.F.S. (EXTERIOR INSULATION AND FINISH SYSTEM)	TEXTURE & COLOR (BUFF) TO MATCH LIMESTONE.	COMMERCIAL, APARTMENT, & GARAGE ENTRANCE AREA(S).		ENTABLATURE FOR APARTMENT & COMMERCIAL ENTRANCE. APARTMENT CANOPY GLG. & GARAGE ENTRANCE INTERIOR.
ALUMINUM - WALL CAP.	TEXTURE = SMOOTH. COLOR = EXTRA DARK BRONZE.	ENTIRE LENGTH OF MERRILLWOOD FACADE.		3RD FLR. PARAPET WALL CAP.
AWNING -	FABRIC. COLOR = BLACK.	ENTIRE LENGTH OF MERRILLWOOD FACADE.	BLACK POWDERCOATED GALV STL. FRAMED.	CANOPIES FOR 2ND FLR. WINDOWS.

KEY PLAN

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

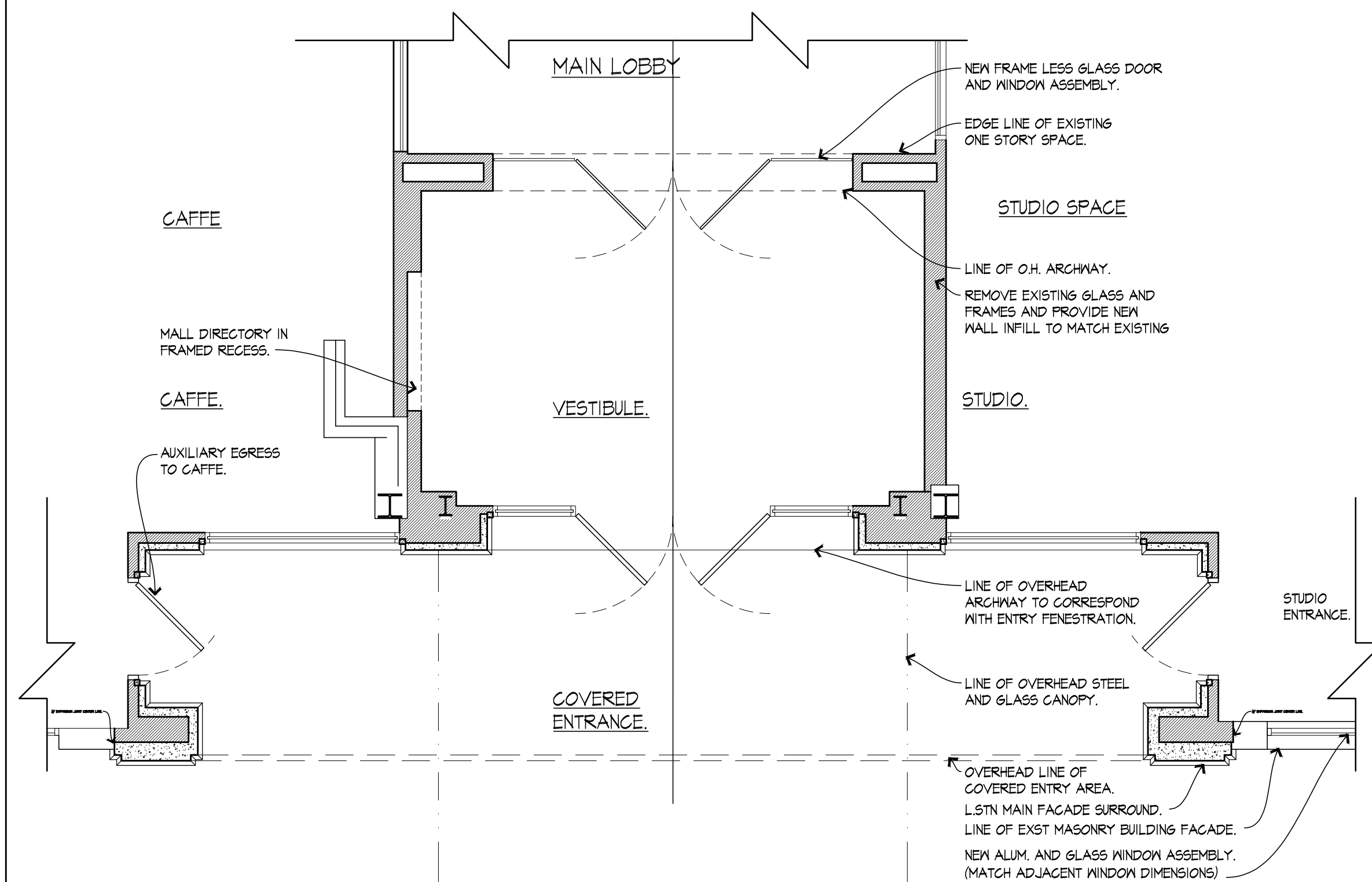
KEY MERRILL STREET ELEV

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



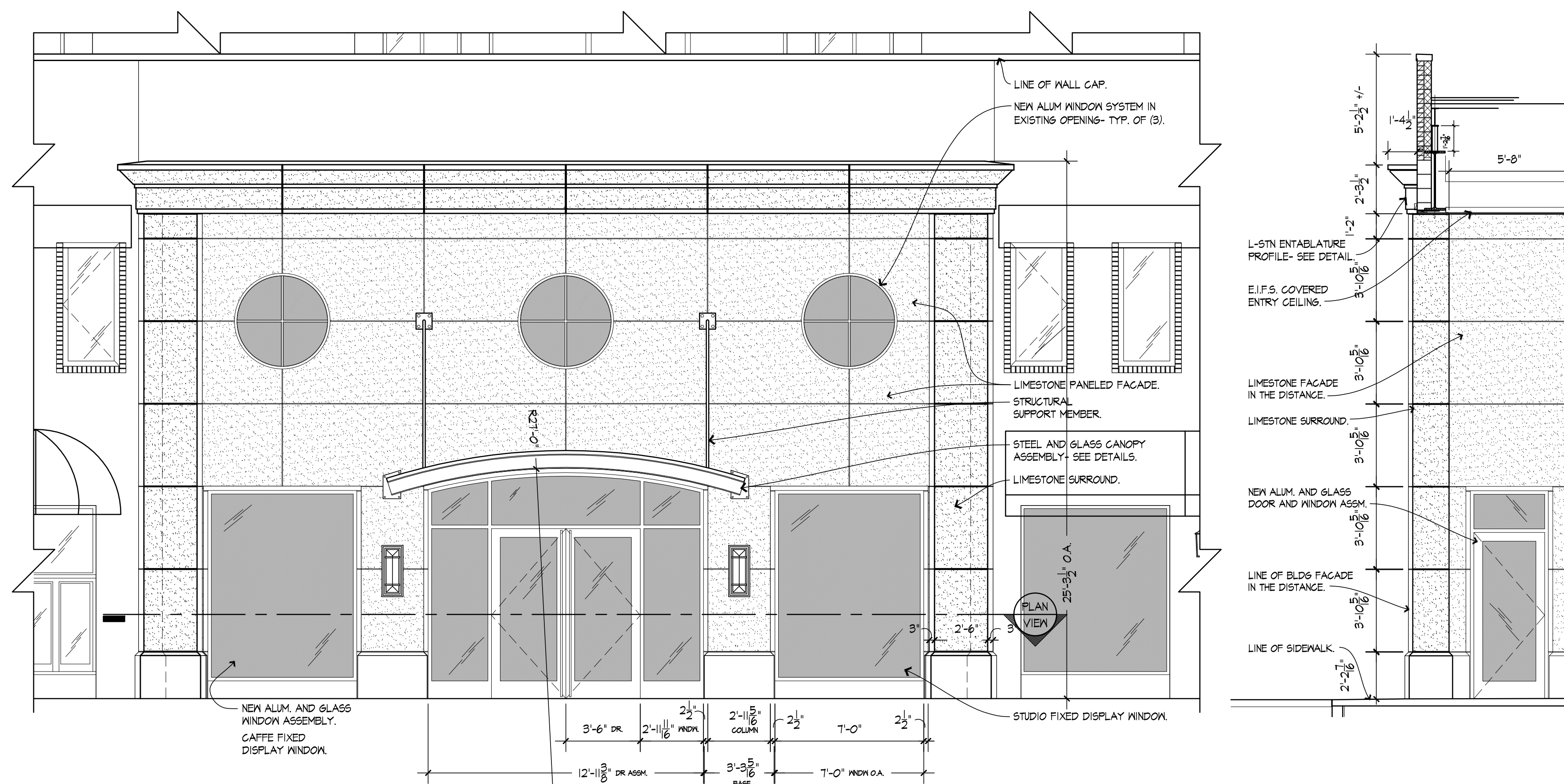
SEE DETAIL "C-2",
COMMERCIAL LOBBY.

SEE DETAIL "C-1",
COMMERCIAL LOBBY.



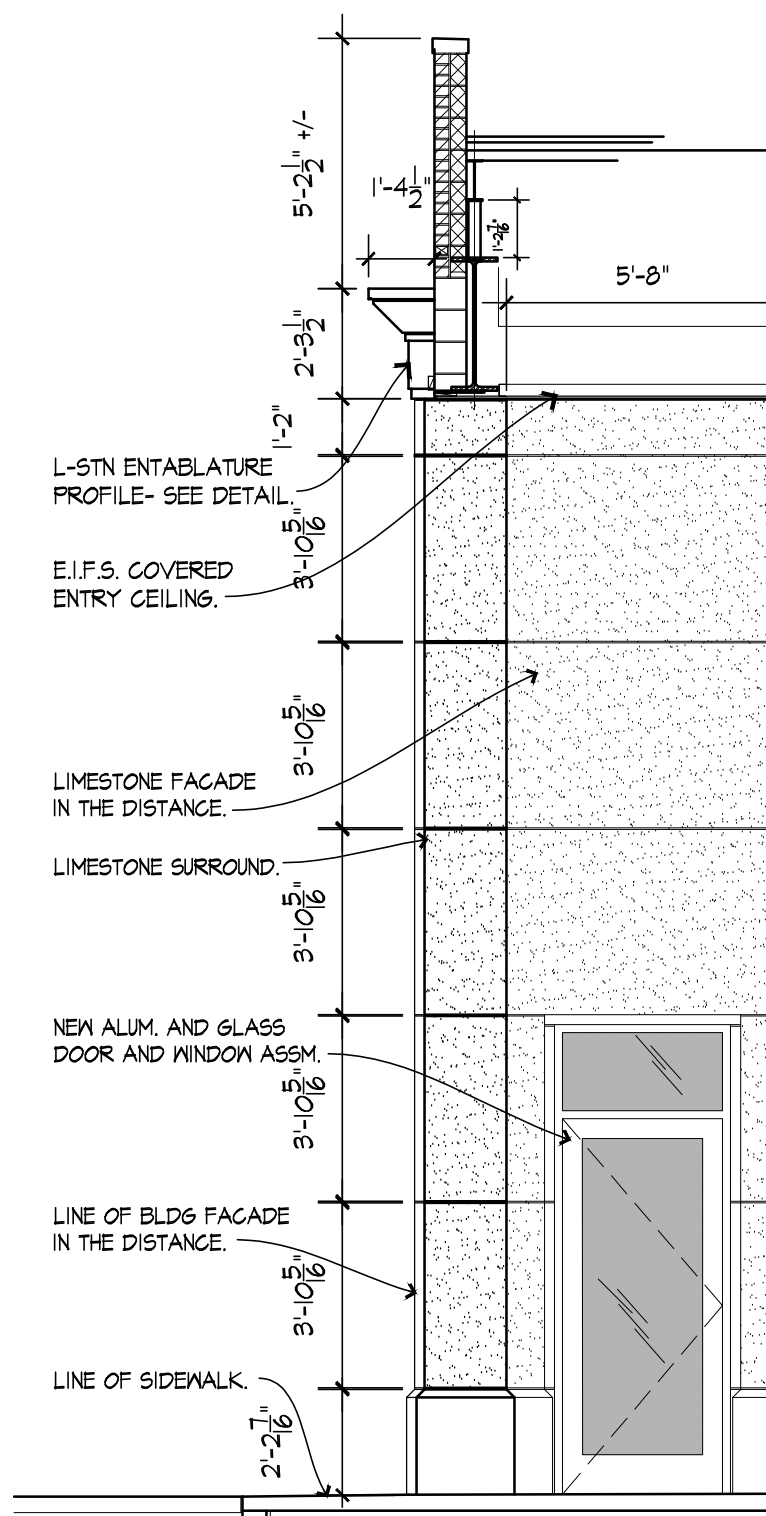
"C-2" PROPOSED PLAN DETAIL

SCALE: 1/4" = 1'-0"



"C-1" PROPOSED ELEVATION DETAIL

SCALE: 1/4" = 1'-0"



"C-3" PROPOSED ELEV.

SCALE: 1/4" = 1'-0"





251 East Merrill

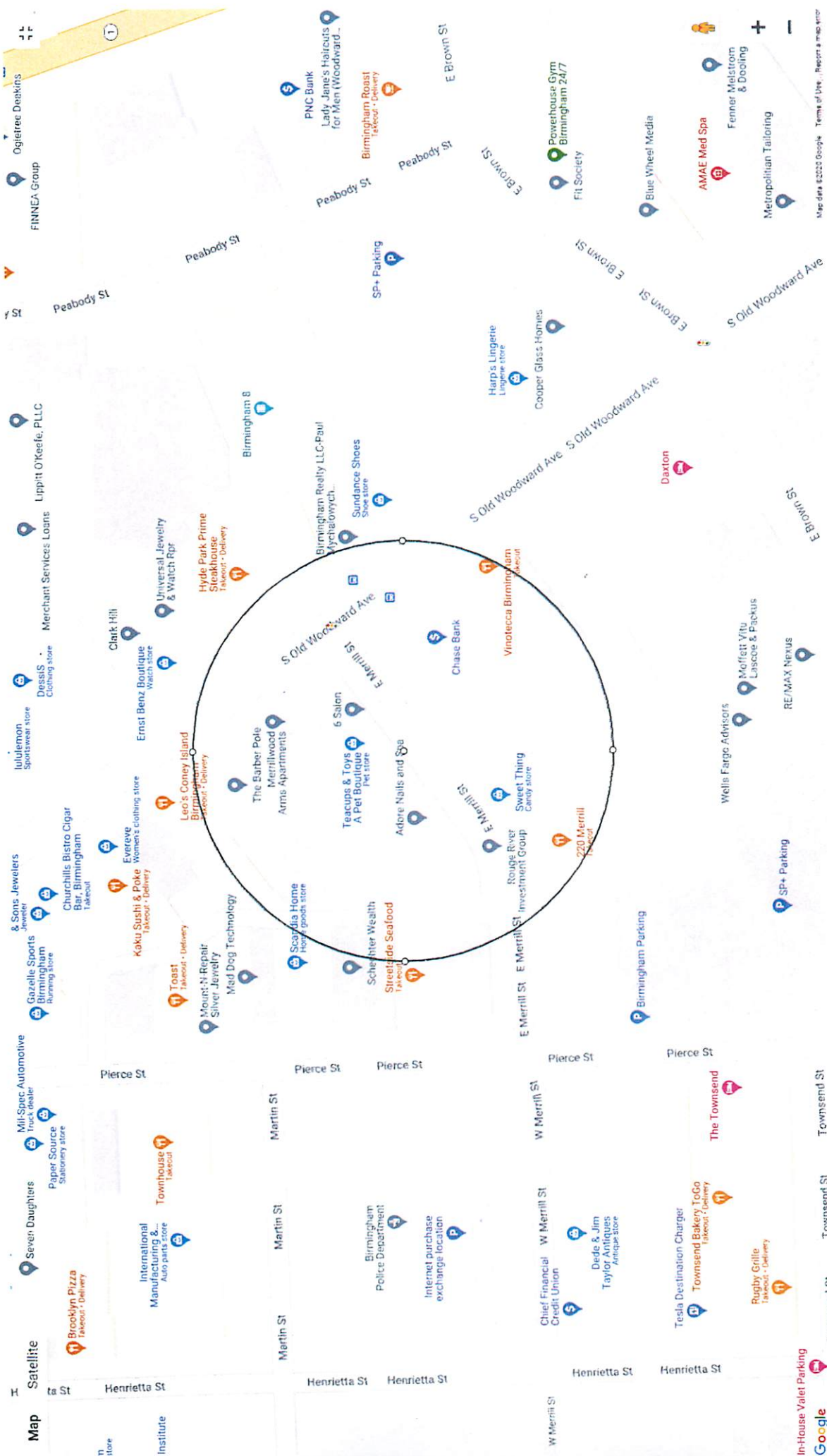
Vicinity Map



251 East Merrill

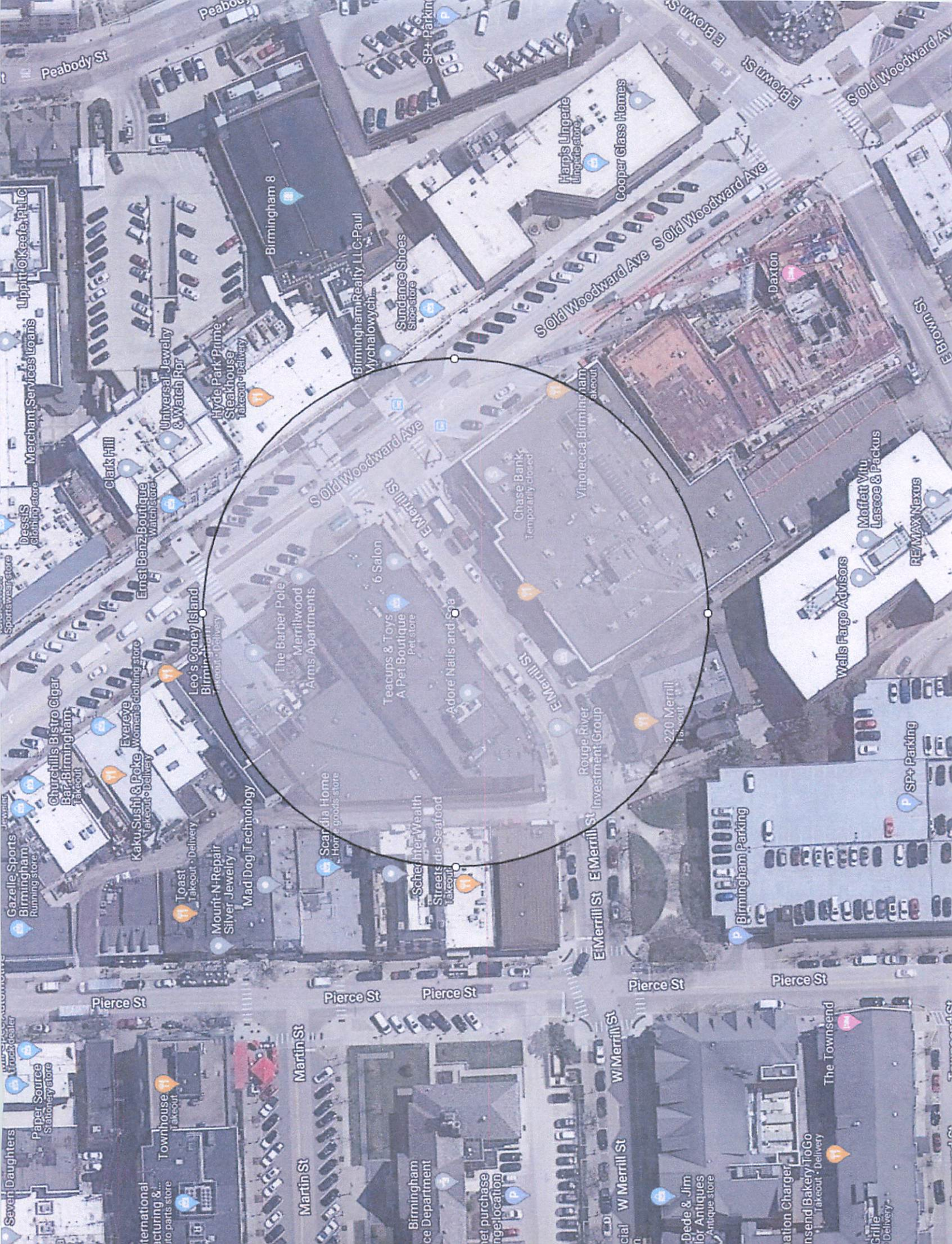
Vicinity Map





Map data ©2025 Google Terms of Use Report a map error

In-House Valet Parking
Google





SCHECHTER

OFFICE SPACE
FOR LEASE
Please Call
248 646-7500

OFFICE SPACE
FOR LEASE
Please Call
248 646-7500

240

BIRMINGHAM
Beauty Bar
248-224-1519
The Department of Health
Harris County

BIRMINGHAM

Beauty Bar
Lash Lift & Tint
Body Waxing



Adore Nails & Spa

La Strada Dolce e Caffè

251 MERRILL

OPEN

EXIT

**OFFICE SPACE
FOR LEASE**
Please Call
248 646-7500

MERRILLWOOD
BLDG.
OFFICE



Special Land Use Permit Application

Planning Division

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

1. Applicant

Name: TAPPER'S GOLD EXCHANGE
Address: 6337 ORCHARD LAKE ROAD
W.B. MI 48222
Phone Number: 248-865-6336
Fax Number: 248-922-7717
Email address: MATAPPER@TAPPERS.COM

3. Applicant's Attorney/Contact Person

Name: JEFFREY ISHBIA
Address: 251 E. MERRILL ST. #212
BIRMINGHAM MI 48009
Phone Number: 248-647-8590
Fax Number: 248-647-8596
Email address: JAI@IGLAWFIRM.COM

2. Property Owner

METALLWOOD COLLECTION.
Name: JEFFREY ISHBIA
Address: 251 E. MERRILL ST. #212
BIRMINGHAM MI 48009
Phone Number: 248-647-8590
Fax Number: 248-647-8596
Email address: JAI@IGLAWFIRM.COM

4. Project Designer/Developer

Name: _____
Address: _____
Phone Number: _____
Fax Number: _____
Email address: _____

5. Required Attachments

I. Two (2) paper copies and one (1) digital copy of all project plans including:

- A detailed Existing Conditions Plan including the subject site in its entirety, including all property lines, buildings, structures, curb cuts, sidewalks, drives, ramps and all parking on site and on the street(s) adjacent to the site, and must show the same detail for all adjacent properties within 200 ft. of the subject site's property lines;
- A detailed and scaled Site Plan depicting accurately and in detail the proposed construction, alteration or repair;
- A certified Land Survey;
- Interior floor plans;

- A Landscape Plan;
- A Photometric Plan;
- Colored elevation drawings for each building elevation;

- Specification sheets for all proposed materials, light fixtures and mechanical equipment;
- Samples of all proposed materials;
- Photographs of existing conditions on the site including all structures, parking areas, landscaping and adjacent structures;
- Current aerial photographs of the site and surrounding properties;
- Warranty Deed, or Consent of Property Owner if applicant is not the owner;
- Any other data requested by the Planning Board, Planning Department, or other City Departments.

6. Project Information

Address/Location of the property: 251 E. MERRILL
BIRMINGHAM, MICH. 48009
Name of development: MERRILLWOOD BUILDING
Sidwell #: _____
Current Use: PREVIOUS RETAIL JEWELRY
Proposed Use: SALES/RETAIL, GOLD BUYING
Area of Site in Acres: _____
Current zoning: _____
Is the property located in the floodplain? _____
Name of Historic District Site is located in: _____
Date of Historic District Commission Approval: _____
Date of Application for Preliminary Site Plan: _____
Date of Preliminary Site Plan Approval: _____

Date of Application for Final Site Plan: _____
Date of Final Site Plan Approval: _____
Date of Application for Revised Final Site Plan: _____
Date of Revised Final Site Plan Approval: _____
Date of Design Review Board Approval: _____
Is there a current SLUP in effect for this site? _____
Date of Application for SLUP: _____
Date of SLUP Approval: _____
Date of Last SLUP Amendment: _____
Will proposed project require the division of platted lots? _____

Will proposed project require the combination of platted lots? _____

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

8. Buildings and Structures

Number of Buildings on Site: ONE
Height of Buildings & # of Stories: TWO STORIES

Use of Buildings: OFFICE / MEDICAL / RETAIL / SERVICES
Height of Rooftop Mechanical Equipment: _____

9. Floor Use and Area (in Square Feet)

Proposed Commercial Structures:

Total basement floor area: APPROX 1,100 sq. ft.
Number of square feet per upper floor: _____
Total floor area: _____
Floor area ratio (total floor area ÷ total land area): _____

Open space: _____
Percent of open space: _____

Office Space: APPROX. 200 sq. ft.
Retail Space: APPROX 400 sq. ft.
Industrial Space: NONE
Assembly Space: NONE
Seating Capacity: N/A
Maximum Occupancy Load: N/A

Proposed Residential Structures:

Total number of units: NONE
Number of one bedroom units: _____
Number of two bedroom units: _____
Number of three bedroom units: _____
Open space: _____
Percent of open space: _____

Rental units or condominiums? _____
Size of one bedroom units: _____
Size of two bedroom units: _____
Size of three bedroom units: _____
Seating Capacity: _____
Maximum Occupancy Load: _____

Proposed Additions:

Total basement floor area, if any, of addition: NONE
Number of floors to be added: _____
Square footage added per floor: _____
Total building floor area (including addition): _____
Floor area ratio (total floor area ÷ total land area): _____

Open Space: _____
Percent of open space: _____

Use of addition: _____
Height of addition: _____
Office space in addition: _____
Retail space in addition: _____
Industrial space in addition: _____
Assembly space in addition: _____
Maximum building occupancy load (including addition): _____

10. Required and Proposed Setbacks

Required front setback: NONE
Required rear setback: _____
Required total side setback: _____
Side setback: _____

Proposed front setback: _____
Proposed rear setback: _____
Proposed total side setback: _____
Second side setback: _____

11. Required and Proposed Parking

Required number of parking spaces: NONE
Typical angle of parking spaces: _____
Typical width of maneuvering lanes: _____
Location of parking on site: _____
Location of parking off site: _____
Number of light standards in parking area: _____
Screenwall material: _____

Proposed number of parking spaces: _____
Typical size of parking spaces: _____
Number of spaces <180 sq. ft.: _____
Number of handicap spaces: _____
Shared parking agreement? _____
Height of light standards in parking area: _____
Height of screenwall: _____

12. LandscapingLocation of landscape areas: N/A

Proposed landscape material: _____

13. StreetscapeSidewalk width: N/A

Number of benches: _____

Number of planters: _____

Number of existing street trees: _____

Number of proposed street trees: _____

Streetscape plan submitted? _____

Description of benches or planters: _____

Species of existing trees: _____

Species of proposed trees: _____

14. LoadingRequired number of loading spaces: N/A

Typical angle of loading spaces: _____

Screenwall material: _____

Location of loading spaces on site: _____

Proposed number of loading spaces: _____

Typical size of loading spaces: _____

Height of screenwall: _____

Typical time loading spaces are used: _____

15. Exterior Waste ReceptaclesRequired number of waste receptacles: N/A

Location of waste receptacles: _____

Screenwall material: _____

Proposed number of waste receptacles: _____

Size of waste receptacles: _____

Height of screenwall: _____

16. Mechanical Equipment**Utilities and Transformers:**Number of ground mounted transformers: N/A

Size of transformers (L•W•H): _____

Number of utility easements: _____

Screenwall material: _____

Location of all utilities & easements: _____

Height of screenwall: _____

Ground Mounted Mechanical Equipment:Number of ground mounted units: N/A

Size of ground mounted units (L•W•H): _____

Screenwall material: _____

Location of all ground mounted units: _____

Height of screenwall: _____

Rooftop Mechanical Equipment:Number of rooftop units: N/A

Type of rooftop units: _____

Screenwall material: _____

Location of screenwall: _____

Location of all rooftop units: _____

Size of rooftop units (L•W•H): _____

Percentage of rooftop covered by mechanical units: _____

Height of screenwall: _____

Distance from rooftop units to all screenwalls: _____

17. Accessory BuildingsNumber of accessory buildings: N/A

Location of accessory buildings: _____

Size of accessory buildings: _____

Height of accessory buildings: _____

18. Building LightingNumber of light standards on building: N/A

Type of light standards on building: _____

Size of light fixtures (L•W•H): _____
Maximum wattage per fixture: _____
Light level at each property line: _____

Height from grade: _____
Proposed wattage per fixture: _____

19. Site Lighting

Number of light fixtures: _____
Size of light fixtures (L•W•H): _____
Maximum wattage per fixture: _____
Light level at each property line: _____

Type of light fixtures: _____
Height from grade: _____
Proposed wattage per fixture: _____
Holiday tree lighting receptacles: _____

20. Adjacent Properties

Number of properties within 200 ft.: ONE

Property #1

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

Property Description: _____

North, south, east or west of property? _____

Property #2

Number of buildings on site: NONE
Zoning district: _____
Use type: _____
Square footage of principal building: _____
Square footage of accessory buildings: _____
Number of parking spaces: _____

Property Description: _____

North, south, east or west of property? _____

Property #3

Number of buildings on site: NONE
Zoning district: _____
Use type: _____
Square footage of principal building: _____
Square footage of accessory buildings: _____
Number of parking spaces: _____

Property Description: _____

North, south, east or west of property? _____

Property #4

Number of buildings on site: NONE
Zoning district: _____
Use type: _____
Square footage of principal building: _____
Square footage of accessory buildings: _____
Number of parking spaces: _____

Property Description: _____

North, south, east or west of property? _____

Property #5

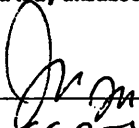
Number of buildings on site: NONE
Zoning district: _____
Use type: _____
Square footage of principal building: _____
Square footage of accessory buildings: _____
Number of parking spaces: _____

Property Description: _____

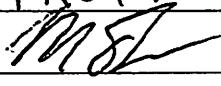
North, south, east or west of property? _____

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

By providing your e-mail 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.

Signature of Owner:  Date: 9-17-20

Print Name: JEFFREY A. ISHBIA

Signature of Applicant:  Date: 7/26/20

Print Name: MARK TAPPER

Signature of Architect: _____ Date: _____

Print Name: _____

Office Use Only

Application #: _____ Date Received: _____ Fee: _____

Date of Approval: _____ Date of Denial: _____ Accepted by: _____

165320

NET AMOUNT

	AMOUNT	AMOUNT	NET AMOUNT
		2,800.00	
		0.00	2,800.00
Total			2,800.00

Comerica Bank

9-9/720

165320

AMOUNT

\$2,800.00

970338-04-10

17

MP

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Tapper's mission is to provide you with a luxury shopping experience with unparalleled customer service. As a multi-generation family-owned business, we bring a long term perspective to all of our relationships, driven by honesty, accountability, community involvement, and excellence. We are committed to delivering on this promise every day.

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ABOUT TAPPER'S

There's joy in finding the perfect piece of jewelry. But... there's even more in finding the perfect jeweler. At Tapper's, our family has been Michigan's most trusted since 1977. With generations of experience, we travel around the world to curate the finest collection of designer jewelry and luxury timepieces. And as Michigan's largest direct diamond importer, we don't pay price premiums to middlemen. So, visit one of our three stores, and we'll guide you to what will make you look and feel your best.

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- ♦ Appraisals
- ♦ Gold and estate buying
- ♦ Restoration and repair of jewelry and fine timepieces



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AN ENGAGEMENT RING
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**BEST JEWELER
2018**



**BEST RINGS
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WEDDING RING
2017**

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Subject *

Please select

Your Comments / Questions *

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**ORCHARD MALL
WEST BLOOMFIELD, MICHIGAN**

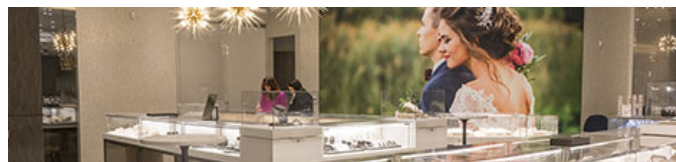


6337 Orchard Lake Road
West Bloomfield, MI 48322
Phone: 248-932-7700
Fax: 248-932-7717
1-800-337-GIFT

Monday, Tuesday, Wednesday,
Thursday, Friday, Saturday
10:30am-6pm
Sunday: 12pm-4pm

[View on map »](#)

**SOMERSET COLLECTION NORTH
TROY, MICHIGAN**



2800 West Big Beaver Road
Troy, MI 48084
Phone: 248-649-2000
1-800-337-GIFT

Monday, Tuesday, Wednesday,
Thursday, Friday, Saturday 11am-
7pm
Sunday 12pm-6pm

[View on map »](#)

**TWELVE OAKS MALL
NOVI, MICHIGAN**



27716 Novi Road
Novi, Michigan
48377
Phone: 248-465-1800
Fax: 248-465-1818
1-800-337-GIFT

Monday, Tuesday, Wednesday,
Thursday Friday, Saturday 11am-
7pm
Sunday 12pm-6pm

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Our mission is to provide a luxury shopping experience with unparalleled customer service to all of our guests, both in-store and online.

We are passionate about consistently providing you a memorable shopping experience. The benefits of shopping at Tapper's go well beyond our fabulous selection of diamonds, fine jewelry, and watches. Please select from the list below to learn more about the benefits of shopping with a full service jeweler.

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TAPPER'S GOLD EXCHANGE FAQs

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WHAT DO YOU BUY?

We buy gold of 10K, 14K, 16K, 18K, 21K, 22K, & 24K purity, dental gold, natural-mined diamonds, estate jewelry (please bring an appraisal if you have one), sterling silver, platinum, class rings (made out of precious metals), sterling silver silverware sets, sterling silver platters, sterling silver pitchers, sterling silver serving pieces, precious metal coins, bullion, and certain timepieces based upon watch manufacturer and watch condition.

DO YOU BUY ALL GOLD-FILLED OR GOLD-PLATED ITEMS?

In general, no we do not purchase gold-filled nor gold-plated items. There are a few rare circumstances when a gold-filled or gold-plated item has significant historical significance and in those situations we will most likely be interested in purchasing those items.

DO YOU BUY SILVERWARE?

We love buying sterling silver silverware sets, sterling silver platters, sterling silver pitchers, sterling silver serving pieces, sterling silver candle sticks, and basically anything else that is sterling silver. You should know that many sterling silver housewares have some type of wax or resin filler to intentionally increase the weight of the item and when we purchase the items we are required to deduct the weight of these filler items. When purchasing sterling silver housewares we are only interested in the value of the sterling silver itself and not the utilitarian value of the item. Please note that we DO NOT BUY silverware that is either made out of stainless steel or silver-plate.

DO YOU BUY DIAMONDS?

Yes, we purchase natural-mined diamonds. We will evaluate your diamond during our consultation. If you have a certified diamond, please include your certification or appraisal. We are very interested in buying most diamonds, but please be aware that there are certain diamonds that either due to current market factors, or our current inventory position that would prevent us from making an offer to purchase. In addition, when bringing in a piece of jewelry with several small diamonds set in the piece, it is often in the clients best interest to just include the value of the diamonds in the piece of jewelry's overall weight, rather than face the labor expense of removing these diamonds and purchasing them as a separate lot.

DO YOU PRICE MATCH?

At Tapper's Gold Exchange, we are so confident that we pay top dollar for your gold and silver jewelry, that we have an industry leading 110% Price Match Guarantee. If you received a written offer on a gold purchase within the last 3 days that is higher than Tapper's Gold Exchange's current offer, Tapper's Gold Exchange will match that offer and pay you 10% more on the difference! Certain restrictions do apply, please speak with your gold and estate buyer for complete details.

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HOW DO I GET PAID?

You will have 3 options for payment: direct deposit, Tapper's Gold Exchange corporate check, or PayPal.

HOW LONG WILL IT TAKE TO GET MY OFFER?

You will receive your offer within 24 hours of concierge pick-up.

WHO WILL PICK-UP MY JEWELRY?

Your jewelry will be picked up by a Tapper's Security Officer. All Tapper's Security Officers are retired active off-duty police officers for your safety and protection.

DO YOU PRACTICE SOCIAL DISTANCING?

Yes. We take every precaution to ensure both your safety and the safety of our Security Officers. We follow all CDC precautions and recommendations, as well as State of Michigan guidelines including sanitizing materials, wearing gloves, and contactless interaction.

AM I REQUIRED TO SELL MY GOLD ONCE IT HAS BEEN PICKED UP?

No. You will receive a free no obligation quote from Tapper's Gold Exchange. If you choose not to accept the offer, your gold will be returned to you within 3-5 business days.

ARE MY ITEMS SAFE?

Yes. Your items will be transported by a Tapper's Security Officer and are covered by our insurance once in our possession.

ARE MY ITEMS INSURED?

Yes. We insure your items while in our possession up to \$25,000; however, if you believe your items are worth more than \$25,000 we will be happy to extend an additional insurance policy to assure the value of your items are properly insured and protected. Please call us for details.

IS THERE A COST FOR THIS SERVICE?

No. Tapper's Gold Exchange Concierge Service is provided free of charge.

DO YOU HAVE ANY STORE FRONT LOCATIONS?

Yes. Tapper's Gold Exchange can be found in all 3 of Tapper's Jewelry Metro Detroit locations (Orchard Mall in West Bloomfield, Twelve Oaks Mall in Novi, & Somerset Collection in Troy). West Bloomfield is now open Tuesday-Saturday 10am-6pm for in-store gold buyback. We offer curbside only gold buyback at Somerset Collection.

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HOW LONG DOES IT TAKE TO GET PAID?

We offer express options so that you get paid fast. Depending on the payment method that you choose, payment time can vary.

PayPal – PayPal is generally the fastest payment method. In most cases, your payment will be available in 24 hours or less. We will need the email address associated with your PayPal account in order to send payment through PayPal.

Direct Deposit/ACH – In this method, payment will be transferred directly from our bank account to yours. To use this method, we will need your bank routing number and the account number of where you would like the money deposited, along with a voided check (the physical check or a photo of the check will work). If you select this payment method, you will generally receive funds in less than 3-5 days.

Check – In this option, you will receive a paper check in the mail from Tapper's Gold Exchange. Due to the process of cutting and mailing a check, this process should take less than 5-7 days to receive payment.

TRADE IN - TRADE UP

Time for more sparkle? Trade in your old diamond and get a full credit applied toward the purchase of a new one!

FINANCING WITH OUR TAPPER'S CREDIT CARD

Making your dreams come true is easy with the variety of financing options we offer.

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Learn more about the Tapper's Difference.

DIAMOND BUYING GUIDE

It's probably the most significant purchase you will make. Let us give you a hand.

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City Of Birmingham
Regular Meeting Of The Planning Board
Wednesday, December 9, 2020
Held Remotely Via Zoom And Telephone Access

2. 251 E. Merrill, Suite 236 – Tapper's Gold Exchange (Merrillwood Building),
Final Site Plan and Design Review to permit a jewelry store including the buying and selling of precious metals in a second floor suite.

Chairman Clein recused himself from the item citing a potential conflict-of-interest.

Vice-Chairman Williams facilitated the item's discussion.

PD Ecker presented for the City and John Henke spoke as attorney for the applicant.

Mark Tapper, owner and applicant, was also available.

In reply to Board inquiries, PD Ecker stated:

- No other applicants have expressed interest in opening a business that would be a regulated use within 1,000 feet of 251 E. Merrill.
- This location would be selling new jewelry in addition to buying and selling precious metals and jewelry.
- If this approval were granted, the approval would stay with the applicant and not with the location.

In reply to an inquiry from Mr. Share, Mr. Tapper stated that some small percentage of the business would be collateralized loans.

Mr. Henke explained lending is authorized by a pawn license, which Tapper's will seek from the Birmingham Police Department in the event of a SLUP approval.

Motion by Mr. Share

Seconded by Mr. Jeffares to recommend approval of the Special Land Use Permit to the City Commission to permit the operation of Tapper's Gold Exchange in compliance with Article 7, Section 7.36 and Article 7, Section 7.21 of Birmingham Code as a regulated use at 251 E. Merrill, Suite 236.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

Motion by Mr. Share

Seconded by Ms. Whipple-Boyce to recommend approval of the Final Site Plan to the City Commission to permit the operation of Tapper's Gold Exchange at 251 E. Merrill, Suite 236.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

Mr. Tapper thanked the Board for their work on behalf of the City.

DATE: February 8th, 2021

TO: Thomas Markus, City Manager

FROM: Brooks Cowan, City Planner

APPROVED: Jana Ecker, Planning Director

SUBJECT: Public Hearing for a Lot Combination of 469 and 479 South Old Woodward Avenue Parcel # 19-36-208-011- T2N, R10E, SEC 36 ASSESSOR'S PLAT NO 13 N PART OF LOT 7 BEG AT NW COR OF LOT 7, TH ELY ALG N LOT LINE 234.96 FT TO E LOT LINE, TH SLY 21.15 FT, TH WLY 104.44 FT, TH SLY 8.4 FT, TH WLY 65.37 FT, TH SLY 14.96 FT, TH WLY 58.9 FT TO W LOT LINE, TH NLY 40.28 FT TO BEG and Parcel # 19-36-208-012 - T2N, R10E, SEC 36 ASSESSOR'S PLAT NO 13 PART OF LOT 7 BEG AT SW LOT COR, TH NLY 40.28 FT, TH ELY 58.9 FT, TH NLY 14.96 FT, TH ELY 65.37 FT, TH NLY 8.4 FT, TH ELY 104.44 FT TO E LOT LINE, TH SLY 66.25 FT, TH WLY 211.66 FT TO BEG

INTRODUCTION:

The owner of 469 and 479 S. Old Woodward has applied to combine the two parcels into one in order to construct a 5-story mixed-use building. The applicant received Final Site Plan approval from the Planning Board for the proposed 5-story building on September 23rd, 2020, with one of the conditions of approval being that the applicant receive lot combination approval from the City Commission.

BACKGROUND:

The subject properties are located at the intersection of S. Old Woodward, Hazel Street and Woodward Avenue. The sites currently consist of one story commercial buildings on each property. The now vacant, former Mountain King restaurant is located at 469 S. Old Woodward while the now vacant, former Talmer Bank is located at 479 S. Old Woodward. The applicant is proposing to demolish the existing buildings, combine the two parcels, and construct a 5-story mixed used building with first floor retail and residential uses on floors 2-5.

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 subject site is surrounded by a mix of uses and building heights with major roads on the east and west side of the building. The property has an eight story mixed-use commercial-residential building to the north and a 13 story

mixed-use commercial-residential building across Hazel Street to the south. To the east is Woodward Avenue with auto sales agencies in the Triangle District on the other side of the street. To the west is S. Old Woodward with retail uses one to two stories in height on the opposite side of the street.

In regards to zoning, the proposed building was approved by the Planning Board on September 23rd, 2020. Conditions of approval from the Planning Board related to zoning were that the applicant remove 7 parking spaces within the first 20 feet of the façade along Hazel Street, as well as provide 2 required loading spaces, or obtain a variance from the Board of Zoning Appeals. **The applicant obtained a variance for these two items on January 12th, 2021.**

In regards to setback, the Downtown Overlay standards for the D4 Zone require that front building facades be located at the frontage line. The proposed building fronts three streets and is located on the frontage line with a zero foot setback facing S. Old Woodward, Hazel, and Woodward Avenue. **The proposed building satisfies this requirement.**

In regards to height, the Downtown Overlay standards for the D4 Zone permit a maximum of 5 stories 80 feet in height, with the 5th story only permitted as a residential use and being setback 10 feet from the 4th story. The applicant has proposed a 5-story building 80 feet in height, with the 5th floor setback 10 feet from the façade. **The proposed building satisfies this requirement.**

In regards to parking, 469-479 S. Old Woodward is not within the Parking Assessment District, therefore all parking must be provided on site. The site plan indicates a requirement of 75 off-street parking spaces due to the proposed retail and residential uses. The applicant has proposed 120 off-street parking spaces on site, which exceeds the parking requirement by 45 spaces. **The proposed building satisfies this requirement.**

In regards to use, the west side of the building facing S. Old Woodward is along the Downtown Overlay Retail Frontage Line which requires retail use within the first 20 feet of the building. Also, as previously mentioned for height allowance, a 5th story is only permitted with a residential use. The proposed building includes retail use within the first 20 feet along S. Old Woodward, and the 5th story is proposed to be a residential use. **The proposed building satisfies this requirement.**

In regards to applicable Master Plans, the Downtown 2016 Plan recommends mixed-use, multi-story buildings. The proposed building has a mix of retail and residential uses that fits in with the surrounding buildings and will contribute towards activating the downtown area. **The applicant's lot combination appears to align with the recommendations of the Downtown 2016 Plan.**

Accordingly, the lot combination proposal meets the requirements of #1.

- (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.*

Given the existing conditions and variety of buildings and parcel sizes surrounding the subject properties, 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.

On June 24th, 2020, the Planning Board accepted the Community Impact Study for the proposed 5-story building at 469-479 S. Old Woodward. **Based on the Community Impact Study and 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 applicant has proposed a 5-story building between an 8-story building and a 13-

story building. **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 application and has no concerns.

FISCAL IMPACT:

Not applicable.

PUBLIC COMMUNICATIONS:

Prior to the application being considered by the City Commission, the City Clerk's office will send out notices to all property owners and tenants within 300 feet of both 469 & 479 S. Old Woodward seeking public comment on the proposal.

SUMMARY:

The Planning Division recommends that the City Commission approve the application for the lot combination of 469-479 S. Old Woodward.

ATTACHMENTS:

- Letter to the City
- Application
- Proof of ownership
- Registered Land Surveys
- Relevant Planning Board minutes related to the proposed 5-story building.

SUGGESTED ACTION:

To APPROVE the proposed lot combination of 469-479 S. Old Woodward, parcels 19-36-208-011 and 19-36-208-012.



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

380 North Old Woodward Avenue
Suite 300

Birmingham, Michigan 48009

Tel: (248) 642-0333

Fax: (248) 642-0856

December 11, 2020

Gayle S. McGregor
gsm@wwrplaw.com

By Email & Hand Delivery

Jana Ecker
Brooks Cowan
City of Birmingham
Planning Department
151 Martin Street
Birmingham, MI 48009

Re: 469 and 479 S. Old Woodward (Mountain King/Drive-Thru Site)
Lot Combination Application

Dear Jana and Brooks:

Please let this letter suffice as the required statement with the reason that Birmingham Tower Partners, LLC ("Applicant"), owner of the former Mountain King/Drive-Thru Site, is seeking a lot combination of the two lots that make up 469 and 479 S. Old Woodward.

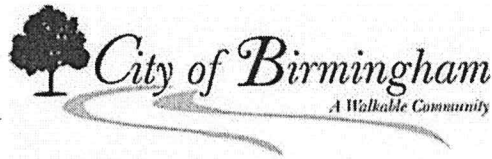
As you know, the Applicant has submitted site plans for the redevelopment of these two lots for a mixed-use retail and residential building within the D4 zoning district and final site plan approval has been granted by the Planning Board. The City's ordinance, Article V, sec. 102-80 et seq., requires the lot combination to occur prior to the issuance of building permits. It is for this reason that the Applicant has submitted a Combination of Platted Lots Application.

Please let us know if there is anything else the City needs to move forward with the Application.

Very truly yours,
WILLIAMS WILLIAMS RATTNER & PLUNKETT, P.C.


Gayle S. McGregor

cc: Birmingham Tower Partners, LLC



Combination of Platted Lots Application

Planning Division

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

1. Applicant

Name: Birmingham Tower Partners, LLC
Address: 251 E. Merrill St., Ste. 205, Birmingham, MI 48009
Phone Number: (248) 892-2222
Fax Number:
Email address: dmarkus@yahoo.com

2. Property Owner

Name: Birmingham Tower Partners, LLC
Address: 251 E. Merrill St., Ste. 205, Birmingham, MI 48009
Phone Number: (248) 892-2222
Fax Number:
Email address: dmarkus@yahoo.com

3. Applicant's Attorney/Contact Person

Name: Richard D. Rattner/Williams, Williams, Rattner & Plunkett, P.C.
Address: 380 N. Old Woodward Ave., Ste. 300, Birmingham, MI 48009
Phone Number: (248) 891-3057 / (248) 642-0333
Fax Number: (248) 642-0856
Email address: rdrattner@wwrplaw.com

4. Project Designer/Developer

Name: PEA Group (for lot combination) / Chris Longe, AIA
Address: 2430 Rochester Ct., Ste. 100, Troy, MI 48063
Phone Number: (844) 813-2949
Fax Number:
Email address: jbutler@peagroup.com / cjlonge@longeaia.com

5. Project Information

Address/Location of Property: 469-479 S. Old Woodward
Sidwell #:
Parcel #: 19-36-208-011 and 19-36-208-012
Current Zoning: D-4

Legal Description: See attached survey

6. Required Attachments

- I. Two (2) copies of a *registered* land survey showing:
 - i. All existing and proposed platted lot lines;
 - ii. Legal descriptions of proposed lots;
 - iii. Locations of existing/surrounding structures for at least 500 ft. in all directions;
 - iv. Footprints of proposed development including proposed building envelope with front, side and rear setbacks clearly marked;

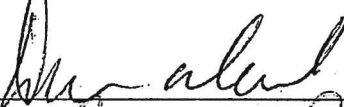
- II. One (1) digital copy of plans;
- III. Proof of ownership;
- IV. Written statement of reasons for request;
- V. A letter of authority or power of attorney in the event the application is made by a person other than the property owner;
- VI. Sketches of proposed development (*optional*);
- VII. Other data having a direct bearing on the request.
- VIII. Any other data requested by the Planning Board, Planning Department, or other City Departments.

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

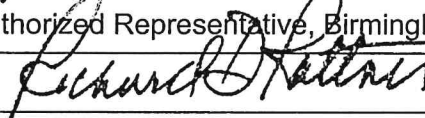
The proposed development is a mixed-use with retail and residential.

(I), (We), the undersigned, do hereby request to combine lots of record in the City of Birmingham, Oakland County, Michigan.
(I), (We), do hereby swear that all of the statements, signatures, and descriptions appearing on and with this request are in all respects true and accurate to the best of (my), (our), knowledge.

By providing your e-mail 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.

Signature of Property Owner:  Date: 12/11/2020

Print Name: Doraid Markus, Authorized Representative, Birmingham Tower Partners, LLC

Signature of Applicant:  Date: 12/11/2020

Print Name: Richard D. Rattner

Office Use Only

Application#: _____ Date Received: _____ Fee: _____

Date of Approval: _____ Date of Denial: _____ Reviewed By: _____



Notice Sign Rental Application Community Development

1. Applicant

Name: Birmingham Tower Partners, LLC
Address: 251 E. Merrill St., Ste. 205, Birmingham, MI 48009
Phone Number: (248) 892-2222
Fax Number: _____
Email address: dmarkus@yahoo.com

2. Property Owner

Name: Birmingham Tower Partners, LLC
Address: 251 E. Merrill St., Ste. 205, Birmingham, MI 48009
Phone Number: (248) 892-2222
Fax Number: _____
Email address: dmarkus@yahoo.com

3. Project Information

Address/Location of Property: 469-479 S. Old Woodward
Name of Development: _____
Area in Acres: 19-36-208-011 and 19-36-208-012

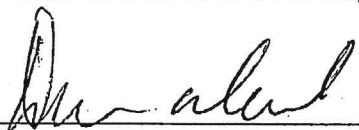
Name of Historic District, if any: _____
Current Use: _____
Current Zoning: _____

4. Date of Board/Commission Review

City Commission: _____
Planning Board: _____
Historic District Commission: _____
Design Review Board: _____

Board of Zoning Appeals: _____
Board of Building Trades Appeals: _____
Housing Board of Appeals: _____
Other: _____

The undersigned states the above information is true and correct, and understands that it is the responsibility of the applicant to post the Notice Sign(s) at least 15 days prior to the date on which the project will be reviewed by the appropriate board or commission, and to ensure that the Notice Sign(s) remains posted during the entire 15 day mandatory posting period. The undersigned further agrees to pay a rental fee and security deposit for the Notice Sign(s), and to remove all such signs on the day immediately following the date of the hearing at which the project was reviewed. The security deposit will be refunded when the Notice Sign(s) are returned undamaged to the Community Development Department. Failure to return the Notice Sign(s) and/or damage to the Notice Sign(s) will result in forfeiture of the security deposit.

Signature of Applicant:  Date: 12/11/20

Office Use Only

Application#: _____ Date Received: _____ Fee: _____
Date of Approval: _____ Date of Denial: _____ Reviewed By: _____

OAKLAND COUNTY TREASURERS 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,
tax liens or titles owed to any other entities.

JUL 21 2017

5.00

ANDREW E. MEISNER, County Treasurer
Sec. 135, Act 206, 1893 as amended

002886

142008
LIBER 50910 PAGE 828
\$26.00 DEED - COMBINED
\$4.00 REMONUMENTATION
\$23,650.00 TRANSFER TX COMBINED
07/28/2017 03:40:56 P.M. RECEIPT# 87418
PAID RECORDED - OAKLAND COUNTY
LISA BROWN, CLERK/REGISTER OF DEEDS

COVENANT DEED

Mountain King Properties, LLC, a Michigan limited liability company, whose address is 469 S. Old Woodward Ave., Birmingham, MI 48009 (the Grantor) Conveys to Birmingham Tower Partners, LLC, a Michigan limited liability company, whose address 251 E. Merrill St., Unit 205, Birmingham, MI 48009 (the Grantee) the premises in the City of Birmingham, County of Oakland, State of Michigan described as:

* Hsiu Tzu Tsung, Sole Member

SEE LEGAL DESCRIPTION IN EXHIBIT A ATTACHED

Commonly known as: 469 S. Old Woodward Ave
Parcel I.D. Number: #19-36-208-011

With all tenements, hereditaments, and appurtenances to it, subject, however, to all matters set forth for SEE REAL ESTATE TRANSFER VALUATION AFFIDAVIT FILED - with covenant to defend title to the property described herein against all persons and demands claiming by, through or under the grantor and no other persons and claims/demands whatsoever.

Seller makes no representations or warranties, of any kind or nature whatsoever, other than those set out above, whether expressed, implied, implied by law, or otherwise, concerning the condition of the title of the property prior to the date the seller acquired title.

Subject to the applicable zoning ordinances, those easements, building and use restrictions, covenants, conditions and other restrictions of record, and the lien of general real estate taxes for the year 2017 and subsequent years which are not yet due.

The Grantor grants to the Grantee the right to make any and all divisions under section 108 of the land division act, Act 288 of the Public Act of 1967.

This property may be located within the vicinity of farmland or 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: June 23, 2017

Mountain King Properties, LLC, a Michigan limited liability company

By: Hsiu Tzu Tsung
Hsiu Tzu Tsung, Sole Member

State of Michigan
County of Oakland

The foregoing instrument was acknowledged before me on this 22nd day of June, 2017, By Mountain King Properties, LLC, a Michigan limited liability company by Hsiu Tzu Tsung, Sole Member.

DONNA L. CURTIS
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Sep 12, 2020
ACTING IN COUNTY OF OAKLAND

Notary Public Donna L. Curtis
Macomb County, Acting in
My Commission Expires: Oakland

Instrument drafted without opinion by: Walter Quillico, ESQ 28470 W. 13 Mile Rd., Ste. 325 Farmington Hills, MI 48334	When recorded return to 9-12-20 Mountain King Properties, LLC, a Michigan limited liability company
--	---

TC 03-69882
Recording Fees: \$30.00

REVENUE TO BE AFT
AFTER RECORDING

Exhibit A
LEGAL DESCRIPTION RIDER

TC13-69882

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

The Northerly part of Lot 7 of ASSESSOR'S PLAT NO. 13, according to the plat thereof recorded in Liber 51 of Plats, page 15, Oakland County Records, City of Birmingham, Oakland County, Michigan, described as beginning at the Northwesterly corner of said Lot 7 on the Easterly line of 100 foot Woodward Avenue; thence Easterly along Northerly line of said Lot, a distance of 234.96 feet to the Westerly line of 200 foot Hunter Blvd. of the Northeast corner of said Lot 7; thence Southerly along the Westerly line of said Hunter Blvd. or Easterly line of said Lot 7, a distance of 21.15 feet to extension of North face of wall of garage building located on Southerly part of said Lot 7; thence Westerly along said extension of North face of wall and along said North face of wall 104.44 feet to a corner of said garage building; thence Southerly at right angles along Westerly face of wall of said garage building 8.40 feet to a corner of said garage building; thence Westerly at right angles along North face of wall of said garage building 65.37 feet to a corner of said garage building; thence Southerly at right angles along West face of wall of said garage building 14.96 feet to a corner of said garage building; thence Westerly at right angles along North face of wall of said garage building and extension of same 58.90 feet to Westerly line of said Lot 7; thence Northerly along said Westerly line 40.28 feet to the point of beginning.

Commonly known as: 469 S. Old Woodward Ave
Birmingham, MI 48009

Parcel I.D. Number: 19-36-208-011

e-recorded

LIBER 50810 PAGE 679

0123549

OAKLAND COUNTY TREASURERS 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.
Reviewed By: PO

Jun 27, 2017

5.00 E-FILE

Sec. 135, Act 206, 1893 as amended
ANDREW E. MEISNER, County Treasurer

Not Examined

LIBER 50810 PAGE 679

\$21.00 DEED - COMBINED

\$4.00 REMONUMENTATION

\$5.00 AUTOMATION

\$38,700.00 TRANSFER TX COMBINED

06/27/2017 06:45:33 PM RECEIPT# 74689

PAID RECORDED - Oakland County, MI

Lisa Brown, Clerk/Register of Deeds

STATE OF
MICHIGAN

OAKLAND
06/27/2017
74689



REAL ESTATE
TRANSFER TAX

\$4,950.00 CO
\$33,750.00 ST
001114788



COVENANT DEED

KNOW ALL MEN BY THESE PRESENTS: E&G Partners, L.L.C., a Michigan limited liability company, ("Grantor"), whose address is 8625 Saint Vrain Way, Missoula, Montana 59808-9333 conveys to Birmingham Tower Partners, LLC ("Grantee") whose address is 251 E. Merrill St., Unit 205, Birmingham, Michigan 48009, the certain premises situated in the City of Birmingham, County of Oakland and State of Michigan more particularly described as follows:

South part of Lot 7 of ASSESSOR'S PLAT NO. 13, City of Birmingham, according to the plat thereof, as recorded in Liber 51 of Plats, Page 15, Oakland County Records, described as beginning at the SW corner of Lot 7; thence Northerly on the West line of said lot 40.28 ft.; thence Easterly 58.9 ft.; thence Northerly at a right angle 14.96 ft.; thence Easterly at a right angle 65.37 ft.; thence Northerly at a right angle 8.4 ft.; thence Easterly at a right angle 104.44 ft. to the East lot line of Lot 7; thence Southerly along the East line of said lot 66.25 ft.; thence Westerly along the South lot line 211.66 ft. to the point of beginning.

Commonly known as: 479 S. Old Woodward Ave., Birmingham, Michigan 48009
Tax Parcel Identification No. 08-19-36-208-012

for the sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) subject to easements, building and use restrictions, covenants, conditions and other restrictions of record, applicable zoning ordinances, and the lien of general real estate taxes for the year 2017 and subsequent years which are not yet due.

Grantor covenants that Grantor has not previously done or committed or willingly suffered to be done or committed any act, matter or thing that would cause the premises or any part of them to be charged or encumbered in title, estate or otherwise.

Dated as of the 23rd day of June, 2017

E&G Partners, L.L.C., a Michigan limited liability company

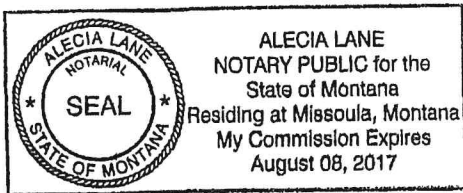
By:

Marsha R. Katz
Marsha R. Katz

Its: Manager

State of Montana)
)ss
 County of Missoula)

The foregoing instrument was acknowledged before me this 21st day of June, 2017 by Marsha R. Katz, the Manager of E&G Partners, L.L.C., a Michigan limited liability company, on behalf of said limited liability company.



Alecia Lane
 Notary Public, Missoula County, Montana
 Acting in Missoula County, Montana
 My commission expires: August 08, 2017

State Transfer Tax: \$33,750.00

County Transfer Tax: \$4,950.00

Recording Fees: \$ _____

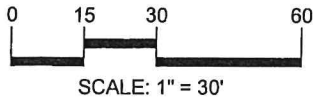
Prepared by:

James M. Dworman, Esq.
 Dean & Fulkerson, P.C.
 801 W. Big Beaver, Ste. 500
 Troy, Michigan 48084

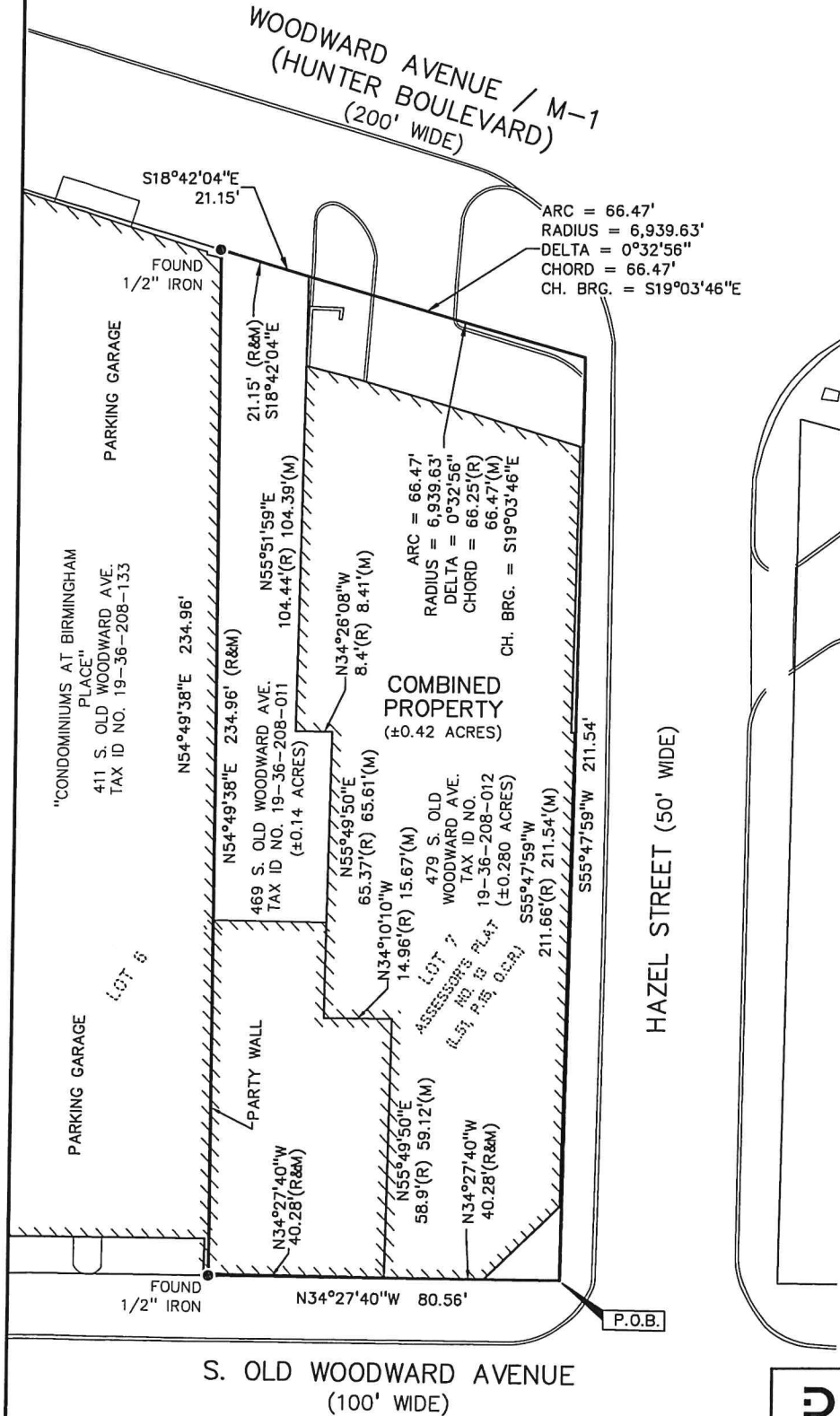
When recorded, return to: Grantee

251 E. Merrill St., Unit 205
 Birmingham, Michigan 48009

County Treasurer's Certificate	Send Subsequent Tax Bills To: Grantee 251 E. Merrill St., Unit 205 Birmingham, Michigan 48009
--------------------------------	--



LAND COMBINATION SURVEY



CLIENT:
MARKUS MANAGEMENT GROUP, LLC
251 E. MERRILL STREET, SUITE 205
BIRMINGHAM, MICHIGAN 48009

SCALE: 1" = 30'

DATE: 11-16-20

JOB No: 2017-093

DWG. No: 1 of 2

PEA GROUP

t: 844.813.2949
www.peagroup.com

LAND COMBINATION SURVEY

PROPOSED COMBINED PROPERTY (AS SURVEYED BY PEA GROUP)

Land situated in the City of Birmingham, County of Oakland, and State of Michigan, described as:

Lot 7 of ASSESSOR'S PLAT NO. 13, City of Birmingham, according to the plat thereof, as recorded in Liber 51 of Plats, Page 15, Oakland County Records, described as:

BEGINNING at Southwest corner said Lot 7; thence N34°27'40"W 80.56 feet along the west line of said lot 7 and the east line of S. Old Woodward Ave. (100 feet wide) to a found iron pin; thence N54°49'38"E 234.96 feet to an iron pin on the west line of Woodward Ave. (Hunter Blvd.) M-1 (200 feet wide); thence along said west line S18°42'04"E 21.15 feet and 66.47 feet along a curve to the left, having a radius of 6,939.63 feet, a central angle of 00°32'56", and a chord that bears S19°03'46"E, 66.47 feet, to the north line of Hazel Street (50 feet wide); thence along said north line S55°47'59"W 211.54 feet to the POINT OF BEGINNING. Containing ±0.42 acres

PARCEL "A" LEGAL DESCRIPTION

(per Fidelity National Title Insurance Company, Commitment No. 17-110744, dated January 5, 2017)

Land situated in the City of Birmingham, County of Oakland, and State of Michigan, described as:

South part of Lot 7 of ASSESSOR'S PLAT NO. 13, City of Birmingham, according to the plat thereof, as recorded in Liber 51 of Plats, Page 15, Oakland County Records, described as beginning at Southwest corner Lot 7; thence Northerly on West line said Lot, 40.28 feet; thence Easterly 58.9 feet; thence Northerly at right angle 14.96 feet; thence Easterly at right angle 65.37 feet; thence Northerly at right angle 8.4 feet; thence Easterly at right angle 104.44 feet to East line said Lot; thence Southerly along East lot line, 66.25 feet to Southeast corner said Lot; thence Westerly along South lot line 211.66 feet to point of beginning.

PARCEL ID 19-36-208-011(per First American Title Insurance Company, Commitment No. TC13-69882, dated February 9, 2017)

Land situated in the City of Birmingham, County of Oakland, and State of Michigan, described as:

The Northerly part of Lot 7 of ASSESSOR'S PLAT NO. 13, according to the plat thereof recorded in Liber 51 of Plats, page 15, Oakland County Records, City of Birmingham, Oakland County, Michigan, described as beginning at the Northwestern corner of said Lot 7 on the Easterly line of 100 foot Woodward Avenue; thence Easterly along Northerly line of said Lot, a distance of 234.96 feet to the Westerly line of 200 foot Hunter Blvd. of the Northeast corner of said Lot 7; thence Southerly along the Westerly line of said Hunter Blvd. or Easterly line of said Lot 7, a distance of 21.15 feet to extension of North face of wall of garage building located on Southerly part of said Lot 7; thence Westerly along said extension of North face of wall and along said North face of wall 104.44 feet to a corner of said garage building; thence Southerly at right angles along Westerly face of wall of said garage building 8.40 feet to a corner of said garage building; thence Westerly at right angles along North face of wall of said garage building 65.37 feet to a corner of said garage building; thence Southerly at right angles along West face of wall of said garage building 14.96 feet to a corner of said garage building; thence Westerly at right angles along North face of wall of said garage building and extension of same 58.90 feet to Westerly line of said Lot 7; thence Northerly along said Westerly line 40.28 feet to the point of beginning.

SURVEYOR'S STATEMENT:

I, DANIEL L. COLE, a Licensed Land Surveyor in the State of Michigan, certify that I have surveyed the parcel(s) of land hereon described; that there are no encroachments except as shown; that the error of closure meets or exceeds the accepted standards of practice; and that I have complied with the survey requirements of Public Act 132 of 1970, as amended. The seller of this property is required to record this instrument at the time of sale.

Daniel L. Cole, PS 4001059791
Agent for PEA Group

Date

CLIENT:
MARKUS MANAGEMENT GROUP, LLC
251 E. MERRILL STREET, SUITE 205
BIRMINGHAM, MICHIGAN 48009

SCALE: N.T.S.

JOB No: 2017-093

DATE: 11-16-20

DWG. No: 2 of 2

**PEA
GROUP**

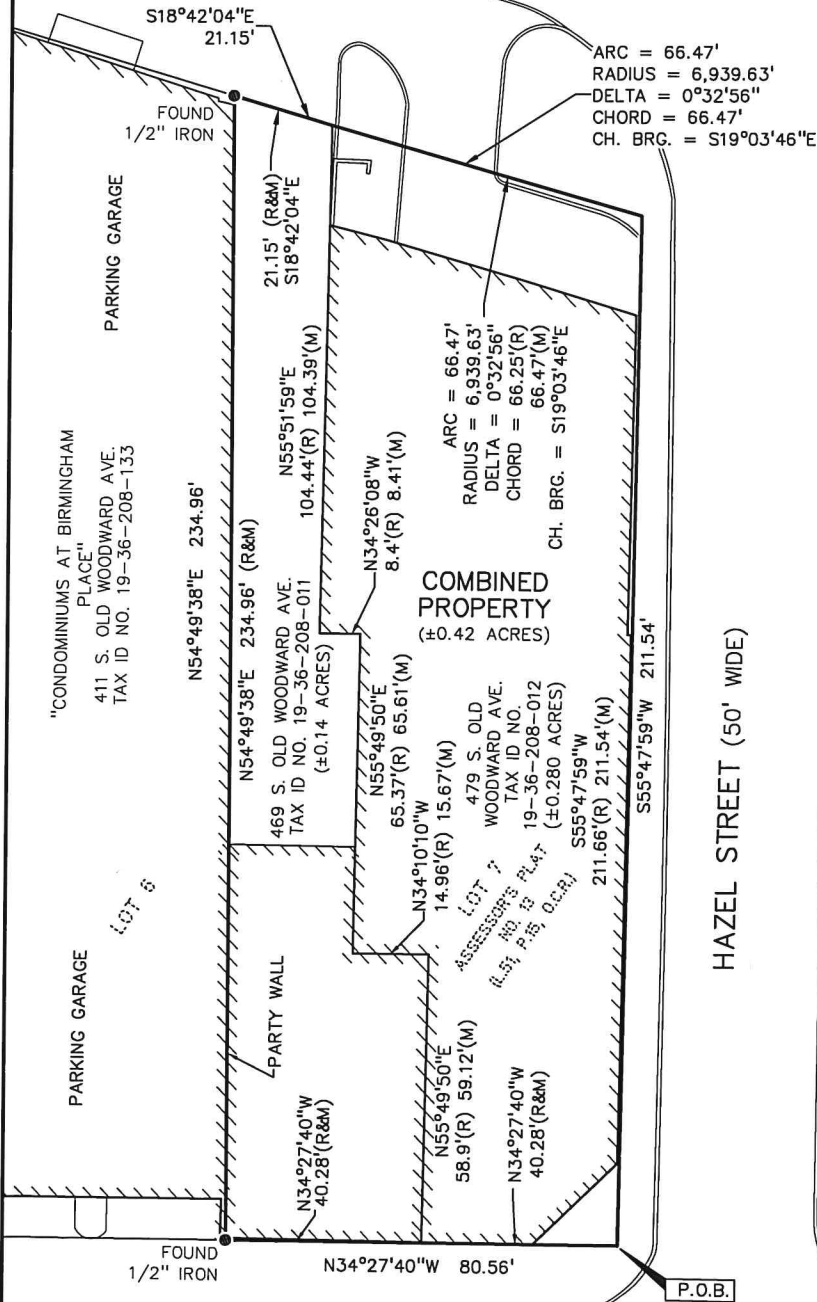
t: 844.813.2949
www.peagroup.com



LAND COMBINATION SURVEY



WOODWARD AVENUE / M-1
(HUNTER BOULEVARD)
(200' WIDE)



S. OLD WOODWARD AVENUE
(100' WIDE)

CLIENT:
MARKUS MANAGEMENT GROUP, LLC
251 E. MERRILL STREET, SUITE 205
BIRMINGHAM, MICHIGAN 48009

SCALE: 1" = 30'

JOB No: 2017-093

DATE: 11-16-20

DWG. No: 1 of 2

PEA
GROUP

t: 844.813.2949
www.peagroup.com

LAND COMBINATION SURVEY

PROPOSED COMBINED PROPERTY (AS SURVEYED BY PEA GROUP)

Land situated in the City of Birmingham, County of Oakland, and State of Michigan, described as:

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BEGINNING at Southwest corner said Lot 7; thence N34°27'40"W 80.56 feet along the west line of said lot 7 and the east line of S. Old Woodward Ave. (100 feet wide) to a found iron pin; thence N54°49'38"E 234.96 feet to an iron pin on the west line of Woodward Ave. (Hunter Blvd.) M-1 (200 feet wide); thence along said west line S18°42'04"E 21.15 feet and 66.47 feet along a curve to the left, having a radius of 6,939.63 feet, a central angle of 00°32'56", and a chord that bears S19°03'46"E, 66.47 feet, to the north line of Hazel Street (50 feet wide); thence along said north line S55°47'59"W 211.54 feet to the **POINT OF BEGINNING**. Containing ±0.42 acres

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(per Fidelity National Title Insurance Company, Commitment No. 17-110744, dated January 5, 2017)

Land situated in the City of Birmingham, County of Oakland, and State of Michigan, described as:

South part of Lot 7 of ASSESSOR'S PLAT NO. 13, City of Birmingham, according to the plat thereof, as recorded in Liber 51 of Plats, Page 15, Oakland County Records, described as beginning at Southwest corner Lot 7; thence Northerly on West line said Lot, 40.28 feet; thence Easterly 58.9 feet; thence Northerly at right angle 14.96 feet; thence Easterly at right angle 65.37 feet; thence Northerly at right angle 8.4 feet; thence Easterly at right angle 104.44 feet to East line said Lot; thence Southerly along East lot line, 66.25 feet to Southeast corner said Lot; thence Westerly along South lot line 211.66 feet to point of beginning.

PARCEL ID 19-36-208-011(per First American Title Insurance Company, Commitment No. TC13-69882, dated February 9, 2017)

Land situated in the City of Birmingham, County of Oakland, and State of Michigan, described as:

The Northerly part of Lot 7 of ASSESSOR'S PLAT NO. 13, according to the plat thereof recorded in Liber 51 of Plats, page 15, Oakland County Records, City of Birmingham, Oakland County, Michigan, described as beginning at the Northwestern corner of said Lot 7 on the Easterly line of 100 foot Woodward Avenue; thence Easterly along Northerly line of said Lot, a distance of 234.96 feet to the Westerly line of 200 foot Hunter Blvd. of the Northeast corner of said Lot 7; thence Southerly along the Westerly line of said Hunter Blvd. or Easterly line of said Lot 7, a distance of 21.15 feet to extension of North face of wall of garage building located on Southerly part of said Lot 7; thence Westerly along said extension of North face of wall and along said North face of wall 104.44 feet to a corner of said garage building; thence Southerly at right angles along Westerly face of wall of said garage building 8.40 feet to a corner of said garage building; thence Westerly at right angles along North face of wall of said garage building 65.37 feet to a corner of said garage building; thence Southerly at right angles along West face of wall of said garage building 14.96 feet to a corner of said garage building; thence Westerly at right angles along North face of wall of said garage building and extension of same 58.90 feet to Westerly line of said Lot 7; thence Northerly along said Westerly line 40.28 feet to the point of beginning.

SURVEYOR'S STATEMENT:

I, DANIEL L. COLE, a Licensed Land Surveyor in the State of Michigan, certify that I have surveyed the parcel(s) of land hereon described; that there are no encroachments except as shown; that the error of closure meets or exceeds the accepted standards of practice; and that I have complied with the survey requirements of Public Act 132 of 1970, as amended. The seller of this property is required to record this instrument at the time of sale.

Daniel L. Cole, PS 4001059791
Agent for PEA Group

Date

CLIENT:
MARKUS MANAGEMENT GROUP, LLC
251 E. MERRILL STREET, SUITE 205
BIRMINGHAM, MICHIGAN 48009

SCALE: N.T.S.

JOB No: 2017-093

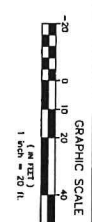
DATE: 11-16-20

DWG. No: 2 of 2

**PEA
GROUP**

t: 844.813.2949
www.peagroup.com

BU 4301
TOP OF NORTHEAST ANCHOR POST OF U-101 PILE BASE, NORTHEAST
CORNER OF HAZEL STREET AND OLD WOODWARD AVENUE
ELEV = 716.35

[illegible]

LOCATION MAP - NOT TO SCALE

LEGEND

● 004+35 ROAD SET ● SEE OTHER PAGES

REFERENCE DRAWING:

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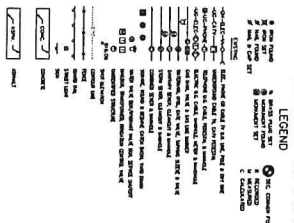
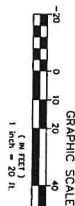
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FLOORPLAN NOTE:
BY CHAIRMAN, MEETING, SITE IS WITHIN FIVE (5') AREA
DETACHED TO BE OUTSIDE OF THE CITY AREA, CHAIRMAN
FLOORPLAN FOR FLOOR INSURANCE RATE AND NUMBER
20170000037 (PANEL 537 OF 704), DATED SEPTEMBER 29, 2006.

[illegible]

REFERENCE DRAWINGS

Country	Year	Value
Algeria	1990	0.00
Algeria	1991	0.00
Algeria	1992	0.00
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PEA, Inc

2430 Rochester Ct, Ste 100
Troy, MI 48063-1572
t: 243 639 9090
f: 243 639 1044

www.psionic.com		
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ORIGINAL ISSUE DATE:
MARCH 5, 2017

SCALE: 1" = 20'

DRAWING NUMBER:
C-1.0

NOT FOR CONSTRUCTION



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

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
MARKUS
MANAGEMENT GROUP, LLC
251 E. MERRILL STREET, SUITE 205
BIRMINGHAM, MICHIGAN 48009

PROJECT TITLE

S. OLD WOODWARD
S. OLD WOODWARD AND HAZEL ST
BIRMINGHAM, MICHIGAN 48009

REVISIONS

ORIGINAL ISSUE DATE:

ORIGINAL ISSUE DATE:
NOVEMBER 17 2020

DRAWING TITLE

DRAWING TITLE

DRAWING TITLE

PEA JOB NO.	2017-093
P.M.	JPB
DN.	GWC
DES.	XXX
DRAWING NUMBER:	

NOTE:

This plan identified properties within 500 feet of the subject property, with their respective Parcel Identifying Numbers. This is according to the "Oakland County Property Gateway." The ID numbers were obtained on November 17, 2020.



**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, JUNE 24, 2020**

Held Remotely Via Zoom And Telephone Access

Minutes of the regular meeting of the City of Birmingham Planning Board held on June 24, 2020. Chairman Scott Clein convened the meeting at 7:31 p.m.

A. Roll Call

Present: Chairman Scott Clein; Board Members Stuart Jeffares, Bert Koseck, Daniel Share, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Members Jason Emerine, Nasseem Ramin; Student Representative Rachel Hester (joined at 7:37 p.m.)

Absent: Board Member Robin Boyle; Student Representative June Lee

Administration: Jana Ecker, Planning Director
Eric Brunk, IT Manager
Nicholas Dupuis, City Planner
Laura Eichenhorn, Transcriptionist

Master Planning Team: Robert Gibbs, Gibbs Planning Group
Matt Lambert, DPZ

06-72-20

B. Community Impact Study

1. **469 – 479 S. Old Woodward (Former Mountain King & Talmer Bank)**
– Request for Community Impact Study acceptance for a new 5 story mixed use building (Postponed from May 27, 2020).

City Planner Dupuis reviewed the item.

Chris Longe, architect, Steve Russo, traffic engineer, and Joel Rinkel, geotech consultant were present on behalf of the application.

Mr. Russo explained:

- The gate access for the garage would be internal to the building, located near the ramp that descends towards the subterranean levels. That would provide three stacking spaces for vehicles before they spill out onto Hazel. He said the card reader for the gate access takes about ten seconds to register and move a vehicle through the gate, and the applicant expects about 50 inbound vehicles every hour. Since that is less than one vehicle a minute, with three stacking spaces there should be no issue with vehicles queuing out onto Hazel.
- If the parking garage access is left where it was proposed in the plans, it would result in that access being blocked by eastbound traffic on Hazel for a total of only two

minutes every hour. The average queue for the stop sign at Woodward and Hazel is one vehicle, with a 95th percentile queue of two vehicles.

- Since Hazel is not a through street at Woodward and vehicles can only enter Woodward from Hazel via southbound right turn, vehicles making that turn would rarely be travelling in excess of 15 m.p.h. Therefore, vehicles would be travelling slow enough at that intersection that sight distance should not be an issue with the proposed garage access location.
- The applicant will work with MDOT to get any necessary permits for construction that occurs in the MDOT right-of-way.
- He would to work with the City's traffic consultant to allay any further concerns there may be from the location of the parking garage access.

Mr. Rinkel stated that about 18,000 cubic yards of soil would be removed from the excavation on the site, which is equivalent to about 25,000 cubic truck yards of material.

Motion by Mr. Williams

Seconded by Mr. Jeffares to accept the Community Impact Study as provided by the applicant for the proposed development at 469-479 S. Old Woodward – Project M1 – with the following Conditions:

- 1. The applicant must submit in writing the volume of excavated soils to be removed from the site;**
- 2. The applicant must provide details on any proposed stormwater retention methods proposed on site;**
- 3. The applicant must provide all details on proposed public safety measures to the Fire and Police Departments for review, including the fire suppression system plans, fire command center plans, and details on the proposed security system;**
- 4. The applicant must either provide the stormwater retention methods to be used onsite or must update the CIS to indicate that the applicant will not provide stormwater management devices; and,**
- 5. The applicant must provide the information requested by the City's traffic consultant.**

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

06-73-20

C. Preliminary Site Plan Review

**1. 469 – 479 S. Old Woodward (Former Mountain King & Talmer Bank)
– Request for Preliminary Site Plan Review for a new 5 story mixed
use building (Postponed from May 27, 2020).**

City Planner Dupuis reviewed the item. He said:

- An eleventh condition should be added to the recommended motion which would allow for the proposed projections into the right-of-way.
- If the building has a 20 foot setback, and the first floor use is changed to retail, then the applicant would have to provide approximately three to four parking spaces for the retail. The 111 parking spaces already included on-site would either come close to covering, or would cover, those extra three to four spaces for retail.
- The ordinance only specifies the number of parking spaces required for retail uses of various sizes. It does not specify where those retail parking spaces must be located.
- The size of the vestibule on the roof would have to be limited to the size of the elevator for queuing and egress.

Mr. Longe, architect, spoke on behalf of the application. He explained:

- He would be vehemently opposed to putting the building's ramp off of Woodward. He stated that the garages to the north of this property have their access off big Woodward, which he finds offensive. He said it is preferable for the garage entrance to be accessible off Hazel which is closer to the front door of the building and therefore more conventional.
- Pushing the ramp further to the west would complicate the traffic pattern into the ramp.
- The right-of-way space between the building and Woodward provides ample space for loading and unloading. Other buildings along Woodward use the space between the buildings and Woodward in the same way. In addition, there is a receiving area designated in the plans that would be used for loading and unloading.
- Other projects he has worked on have received variances for the 12 by 40 foot loading area requirement since it is generally smaller mail and package delivery trucks, and not larger industrial trucks, that will be delivering to the building.
- The wall system and the glazing would be used to mitigate the ambient noise coming from the exterior of the building into the interior.
- While the the residential parking arrangements are still under consideration, the applicant is preliminarily thinking that specific spaces will be assigned to the residents. There would also be a keyfob system in place.
- The applicant proposes to put eight parking spaces along Hazel rather than a retail store because Hazel is a low-traffic street and the applicant suspects the space would be too small for retail to thrive. It seemed that it would be more responsible to provide parking on Hazel for the other retail uses in the building located off of both big Woodward and Old Woodward. The applicant would be able to convert the space to

retail if necessary.

Mr. Emerine said he thought it would make much more sense to have the eight spaces of retail parking on Hazel than it would to try to fit retail into that space. He also said that he concurred with Mr. Longe that the garage access should be located exactly where it was put in the plans. He said that coming in off Woodward would be an odd experience for people arriving to the building, and that if the garage entrance were to be moved the ramp might not function as it needs to. He said that he would like the applicant team to work with the City's traffic consultant to make sure her concerns are answered, but said he thinks the design for the garage access is appropriate as-is.

Planning Director Ecker stated that while she has seen the parking assessment district (P.A.D.) extended to additional buildings, she has not seen it extended to buildings that are not directly adjacent to another included building. She also stated that the 20 foot setback issue and the vestibule size issue would both be BZA considerations and not Planning Board ones.

Mr. Williams noted that this is the only D4 parcel in the City that is not in the P.A.D.

City Planner Dupuis requested commentary from the Board regarding the aforementioned issues that might be considered by the BZA.

Mr. Jeffares said that the vestibule as designed in the plans would be much safer, in the case of something like inclement weather, than a vestibule that is only equal to the size of the elevator shaft.

Mr. Koseck agreed with Mr. Jeffares. He continued by saying he was supportive of the eight parking spaces along Hazel. He noted that the floorplan works well to activate the corners and that the parking on Hazel would support the other retail in the building. He said there was a case to be made that there is a practical difficulty with the three-sided building, and that the blank wall across the street from the proposed parking would also not be conducive to retail. He said he also agreed with Mr. Longe's explanation for why the spaces would be located along Hazel.

Mr. Share said he concurred with Mr. Koseck's comments regarding why parking along Hazel would be appropriate for this project. He added that a 20 feet of retail in that area would not make a significant difference towards activating the street.

Ms. Whipple-Boyce and Mr. Williams said they concurred with previous Board members' comments regarding the vestibule and the proposed parking on Hazel.

Mr. Williams said he would urge the members of the BZA to rule favorably for both variance requests.

Chairman Clein said he was supportive of the proposed parking on Hazel. He said that as far as the vestibule, he saw no difficulty necessitating it be larger than the ordinance allows. He stated that he would much rather the Board rework the ordinance if there is a problem with it rather than disregard the ordinance's requirements due to subjective preference.

Motion by ~~Mr. Williams~~ Ms. Whipple-Boyce

Seconded by Mr. Koseck to approve to APPROVE the Preliminary Site Plan for 469-479 S. Old Woodward – Project M1 – with the following conditions:

- 1. The applicant must submit revised plans showing the amount of bedrooms in each unit to ensure that the minimum area required per unit is met, or obtain a variance from the Board of Zoning Appeals;**
- 2. The applicant must submit a revised rooftop plan that shows no habitable space at Final Site Plan review, or obtain a variance from the Board of Zoning Appeals;**
- 3. The applicant must submit details on all proposed RTUs and details on the proposed screen wall material to ensure the RTUs are fully screened from public view at Final Site Plan review;**
- 4. The applicant must provide 2 street trees on the Woodward frontage, obtain a waiver from the Staff Arborist, or obtain a variance from the Board of Zoning Appeals;**
- 5. The applicant must (1) provide site plans showing the number of rooms for each residential unit to clarify the parking requirements for such, and (2) provide a minimum 20 ft. setback for the parking facility located on the first floor along the Hazel frontage or obtain a variance from the Board of Zoning Appeals;**
- 6. The applicant must submit revised plans showing 2 off-street loading spaces measuring 40 feet long, 12 feet wide and 14 feet high and in compliance with Section 4.25 of the Zoning Ordinance or obtain a variance from the Board of Zoning Appeals;**
- 7. The applicant must submit details on the types and placement of all proposed light fixtures, as well as a photometric plan showing illumination levels at all property lines at Final Site Plan;**
- 8. The applicant must submit material specifications, samples, and glazing calculations for the proposed building at Final Site Plan review;**
- 9. The applicant must submit an existing conditions plan;**
- 10. The applicant must comply with the requests of all City Departments;**
- 11. The Planning Board approves the two-foot balcony projections into the right-of-way above eight feet.**

Jim Arpin, member of the public, said that he would urge the Board to not accept plans that require ten or more conditions for the motion. He said it would be a more efficient use of the Board's time and City staff's time. Mr. Arpin also expressed concern regarding the safety, power and fire issues that could occur with the installation of subterranean lifts, and concern with how these plans will meet the ingress and egress requirements of the parking ordinances.

Mr. Arpin thanked the Board for their work reviewing City projects, and said he made his comments with the goal of making the process smoother for the Board's benefit in the future.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, SEPTEMBER 23, 2020
Held Remotely Via Zoom And Telephone Access

Minutes of the regular meeting of the City of Birmingham Planning Board held on September 23, 2020. Chairman Scott Clein convened the meeting at 7:32 p.m.

A. Roll Call

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Daniel Share, Bryan Williams; Alternate Board Members Jason Emerine, Nasseem Ramin

Absent: Board Member Janelle Whipple-Boyce; Student Representatives Rachel Hester, June Lee

Administration: Jana Ecker, Planning Director
Jamil Alawadi, IT Staff
Nicholas Dupuis, City Planner
Laura Eichenhorn, Transcriptionist

09-120-20

F. Final Site Plan & Design Review

1. 469 – 479 S. Old Woodward, Project M1 (Former Mountain King and Talmer Bank) – Request for Final Site Plan & Design Review for new five story mixed use building.

Mr. Share was able to rejoin the meeting at the beginning of this item.

City Planner Dupuis presented the item.

Since there was a possibility the owner would pursue a variance from the Board of Zoning Appeals (BZA) for a reduced setback along Hazel, Mr. Williams said it would be important for the BZA to understand that 469-479 S. Old Woodward is the only parcel in the City zoned D4 and not included in the Parking Assessment District (PAD). He said this fact represents a hardship for the applicant.

Mr. Emerine noted that the building also has three frontages, which also represents a hardship.

Mr. Williams agreed with Mr. Emerine.

Mr. Jeffares said he agreed with Mr. Williams and Mr. Emerine as well. He added that if one stood on the property of 469-479 S. Old Woodward and looked across Hazel, all one would see is a concrete and stone wall. Positing that the Hazel frontage was unlikely to attract a retailer because of the view, Mr. Jeffares recommended that the BZA consider this an additional reason for granting a variance for a lesser setback along Hazel.

Duraid Markus, owner, Chris Longe, architect for the project, and Rick Rattner, attorney for the project, were present.

Mr. Longe said the project team was considering putting in storage on the second floor with residential units along the perimeter, a community room, and a workout center. He said this would be the best use of space since the north side of the building faces a wall.

A number of members of the Board stated they were not comfortable with an either/or approval for residential or commercial use on the second floor.

Mr. Markus stated the final site plan and design review should then proceed using the residential schematic for the second floor.

In reply to Mr. Markus, Chairman Clein confirmed that the project could change its second floor use from residential to office through an administrative approval in the future if need be. Chairman Clein explained that would be permissible since both uses are allowed in the D4 zone. He said that, if the use were to change, only ~~attendant~~ changes to the exterior or issues with ordinance compliance would require further Board review.

Mr. Longe said the loading area on the Woodward side of the building has a bay that is 18 feet wide and 40 feet deep. He said the area should be more than sufficient for the anticipated loading needs of the residences in the building. Mr. Longe acknowledged that the project would need a variance from the BZA for the loading area.

In reply to Chairman Clein, Mr. Longe agreed with Mr. Jeffares' assessment that the Hazel side of the building would be a poor location for retail frontage. The concrete wall across Hazel prevents the street from being activated, and Mr. Longe opined that no amount on retail within their building along Hazel would change that. He noted that since the building is not part of the PAD all parking must be provided for on-site. If they were required to add more retail, they would be required to provide even more parking which would be difficult for the project. Mr. Longe emphasized that the project team wants to provide parking that is easily accessible for the retail customers. He confirmed that the project would be able to screen the parking along Hazel if the City requires it.

In response to a Board inquiry about the canopies, Mr. Longe confirmed that the proposed canopies meet the ordinance. He stated the specifications for the canopies were provided to City Planner Dupuis the day prior to the present meeting.

Mr. Longe told Mr. Koseck that the project team did intend to pursue admittance to the PAD.

In reply to Mr. Williams, Mr. Longe stated the transformer would be screened with metal coated to match the color of the building. He said the project team was also amenable to providing the required benches and trash receptacles.

Mr. Boyle recommended that the developer consider moving the residents' gym from the second floor to the ground floor on Hazel. Since the underground deck has parking in excess of its

residential requirements, the parking on Hazel could potentially be removed for a more activating ground-floor use. He ventured that most customers looking to visit the building's retail would park on-street and that the extra spaces below ground could be counted towards the retail parking requirements. He concluded that if the project team pursued his recommended configuration then they would also be able to avoid seeking a variance for Hazel.

Mr. Markus said Mr. Boyle made an interesting point, and said it was one his team had considered. The drawback to Mr. Boyle's proposal was that enacting it would put retail patrons in the otherwise residential underground parking deck, which the developers wanted to avoid to maintain the residents' feeling of security.

Mr. Boyle said that while he understood Mr. Markus' concern, most people visiting retailers in Birmingham endeavor to park on the street even if accessible underground parking is available. Because of this, Mr. Boyle explained that the excess parking spaces underground could count towards the retail requirements even though retail customers would rarely use those spaces. He said he just wanted the developers to have more flexibility.

Mr. Markus stated the underground deck was ten cars overparked, and that if the Hazel Street parking was eliminated then the project would be four cars under-parked. He also said that the Hazel Street parking would be a draw to any retailer looking to occupy the other available retail space.

Mr. Boyle said he would not continue pressing his point, and that he just wanted to raise the possibility with the project team.

The Board concurred that they were comfortable with the proposed plans for the Hazel side and agreed that there would be no adverse land planning effects if the BZA were to grant a variance for a reduced setback on Hazel.

Mr. Share said it was important to note that the Board was comfortable with the proposed Hazel variance due to the unique location of the project and the unusual three sides with surrounding facilities.

Since the applicant submitted the requirements for conditions one, four and six of the motion to the Planning Department subsequent to the motion's writing, and since City Planner Dupuis had the opportunity to review those submissions, the Board agreed those items could be approved administratively instead of requiring Board review and approval at a later date.

Motion by Mr. Williams

Seconded by Mr. Boyle to approve the Final Site Plan and Design Review for 469-479

S. Old Woodward – Project M1 – subject to the following conditions:

- 1. The applicant's revised and submitted plans clarifying the projection of all terraces and the dimensions of the sidewalk to ensure the canopies meet the projection standards and shall be approved administratively by the Planning Division;**
- 2. The applicant must provide a 20 ft. minimum setback for the parking facility located on the first floor along the Hazel frontage, or obtain a variance**

from the Board of Zoning Appeals;

3. The applicant must submit revised plans showing 2 off-street loading spaces measuring 40 feet long, 12 feet wide and 14 feet high and in compliance with Section 4.25 of the Zoning Ordinance or obtain a variance from the Board of Zoning Appeals;

4. The applicant's submitted specifications on the types and placement of all proposed light fixtures shall be approved administratively by the Planning Division;

5. The applicant must submit revised elevations and glazing calculations that show 70% glazing on each first floor facade, a maximum of 35% glazing on the upper floors, as well as material specifications for all new glass, or obtain a variance from the Board of Zoning Appeals;

6. The applicant's Existing Conditions Plan and material specifications shall be approved administratively by the Planning Division;

7. That the second floor use be designated as residential, per the submitted plans, with the appropriate parking requirements; and,

8. The applicant must comply with the requests of all City departments.

Mr. Koseck expressed appreciation for the project and said it aligned well with the goals of the 2016 Plan. He said it would be an asset to its location. Mentioning the variance issues, Mr. Koseck said he hoped the BZA would recognize the unique circumstances associated with the project. He also said that if the project gains admittance to the PAD then the currently proposed first-floor parking could be changed into either more retail or more street-activating common spaces for the residents as per Mr. Boyle's prior suggestion. Mr. Koseck stated that everyone involved in bringing the project to fruition should be very proud, and said he looked forward to seeing the project built.

Motion carried, 7-0.

ROLL CALL VOTE

Yeas: Williams, Clein, Jeffares, Emerine, Boyle, Koseck, Share

Nays: None

Chairman Clein thanked Mr. Markus, Mr. Longe, Mr. Rattner and the project team for all their work on the project. He thanked the residents of the neighboring buildings for their long-term efforts towards ensuring that this project would be one that would benefit the community.

Mr. Markus told Mr. Boyle he was considering Mr. Boyle's recommendation. He said that if he could maintain his required number of parking spaces he would be interested in replacing some of the spots on Hazel with a more street-activating use.

The project team thanked the Board and signed off.

DATE: February 8th, 2021

TO: Thomas Markus, City Manager

FROM: Brooks Cowan, City Planner

APPROVED: Jana Ecker, Planning Director

SUBJECT: Sculpture Donation – Pyramid Earth by Kegham Tazian

INTRODUCTION:

Local artist Kegham Tazian has applied to donate his sculpture "Pyramid Earth" to the City of Birmingham. The sculpture is made of bronze with a patina finish and stands 5 feet tall, 3 feet long at the base, is 12 inches wide, and weighs around 400 pounds. This will be placed on a 3 foot granite pedestal mount. The sides of the sculpture are triangular in shape and feature the east and west hemisphere of the earth. Upon review, the Public Arts Board recommended it be installed at Linden Park, south of W. Maple near the Linden Trail. The sculpture will be oriented with each hemisphere facing its respective direction. The Public Arts Board also recommends that a 3 foot stepped pedestal consisting of black granite is best for the sculpture.

BACKGROUND:

Kegham Tazian is an award-winning, Armenian-born artist who has gained much notoriety for the diversity of his work and the variety of media exemplified in his pieces. His artwork has been represented in numerous local, national and international exhibitions. His work adorns the entrances and halls of major corporations, universities and municipalities throughout southeastern Michigan.

Upon immigrating to the United States, Tazian attended college in Fort Wayne, Indiana. After graduating, he enrolled at Wayne State University where he earned a Masters of Fine Arts degree. Thereafter, the City of Birmingham became Tazian's first permanent place of residence in Michigan. His three kids were all born and raised during their early years in Birmingham.

The Pyramid Earth sculpture is meant to be a monument to our world with a realistic representation of a globe set on two pillars suggesting upward mobility and strength. The piece was originally commissioned by TRW Automotive in 1994 before being relinquished many years later to the artist. In 2013, the sculpture was installed at Oakland Community College's Farmington Hills campus. Tazian and his family would now like to offer the sculpture to the City of Birmingham for permanent installation as a means of giving back to a community that featured so prominently in the artist's roots.

On August 19th, 2020, The Public Arts Board first reviewed the application for the sculpture donation. The Board members indicated they would like to conduct a site visit and see the sculpture in person before making any recommendations.

In October 2020, two Board members were able to visit the sculpture at its storage location. During the Public Arts Board meeting on October 21st, 2020, the Board discussed locations and requested staff to contact the artist about preferred locations and to provide a rendering of the sculpture with a pedestal. After visiting suggested sites, the artist indicated they prefer the Linden Park site due to the foot traffic from the sidewalk and Linden trail, and the natural surroundings of the site.

On November 18th, 2020, the Public Arts Board discussed the artist's preference for Linden Park and reviewed potential design and materials for a pedestal. The Board had previously recommended a call for entry for new sculptures with the Linden Park site being one of the five prioritized locations. The Public Arts Board agreed that Linden Park is a good site considering the existing base pad, the natural scenery surrounding it, and the pedestrian and car traffic passing by the location from an east and west orientation.

During the meeting, the artist's representative indicated that the sculpture needs a new pedestal. The artist and the Public Arts Board were in agreement that a stepped granite pedestal 3 feet in height would be best. The total cost is estimated to be \$8,500 at the most, however it is possible it could be less. The granite was preferred over the precast concrete due to aesthetics and difficulty of moving a precast concrete pedestal if necessary. The artist's representative indicated they have experience moving the sculpture and will be responsible for transporting and installing the sculpture. Since the recommendation of a granite pedestal from the Public Arts Board, a formal quote has been submitted indicating a cost of \$7,950 for the pedestal.

The Public Arts Board has recommended a \$2,000 installation stipend and for the sculpture to be included as one the five sculptures in their recommended budget for a call for entry. It is also of note that if approved, the Cultural Council of Birmingham Bloomfield has pledged to match this stipend with another \$2,000. Members of the Public Arts Board and Cultural Council of Birmingham Bloomfield have coordinated with the artists' representative to pursue various art grants to cover the remaining costs of the sculpture pedestal.

On December 1st, 2020, the Parks and Recreation Board reviewed the application and recommendation for "Pyramid Earth" at Linden Park and also approved a motion to recommend the sculpture for this site.

Staff have reviewed the application and have raised no concerns. A staff member from the City will be present during installation to monitor the work.

LEGAL REVIEW:

No concerns from the City Attorney.

FISCAL IMPACT:

The Public Arts Board recommended that this sculpture be included as one of the five stipend recommendations of \$2,000 for approved artwork from the call for entry which was approved December 21st, 2020.

The payment to the artist is to come from the Public Arts Board account #101-299-000-811-0000.

If the sculpture is approved before June 30th, 2021, a Purchase Order will be created from the Board's budget and held for the artist. The stipend is then distributed once the sculpture is installed.

PUBLIC NOTIFICATION:

Although not legally required, a public notice sign was placed beside the proposed location.

SUMMARY:

The City Commission is asked to accept the donation of Pyramid Earth by Kegham Tazian and for the sculpture to be installed at Linden Park as indicated on the map. The City Commission is also asked to approve funding of \$2,000 from the Public Arts Board budget towards the construction of a granite base in partnership with the Cultural Council of Birmingham Bloomfield and the artist for the sculpture installation.

ATTACHMENTS:

- Application
- Photos of sculpture
- Installation rendering
- Photos of proposed location
- Public Arts Board Memo
- Parks and Recreation Memo
- Relevant minutes (Parks and Recreation Board minutes not yet available)
- Installation Quote

SUGGESTED RESOLUTION:

To accept the donation of the "Pyramid Earth" sculpture by Kegham Tazian and to approve the installation at Linden Park on the existing pad.

AND

To approve payment of \$2,000 in financial assistance from the Public Arts Board budget towards the construction of a granite base in partnership with the Cultural Council of Birmingham Bloomfield and the artist for the sculpture installation, to be charged to the Public Arts Board account #101-299-000-811-0000.



Cultural Council of Birmingham Bloomfield
P.O. Box 465 Birmingham, MI. 48012

APPLICATION FOR ART IN PUBLIC SPACES

Kegham Tazian
APPLICANT NAME

248 892 8606 vtazian@hotmail.com
DAYTIME PHONE EMAIL

Kegham Tazian
DONOR, OWNER, OR AGENT (DEALER)

Kegham Tazian
ARTIST (first and last) or PROJECT NAME

Pyramid Earth
TITLE

1995 Bronze
DATE OF ARTWORK MEDIUM/TECHNIQUE

PROPOSED ☒ DONATION ☐ LOAN (would also consider a loan)

A monument to our world. Realistic representation of globe set on two "pillars", a sign of trajectory and strength.
DESCRIPTION OF ARTWORK

72" 12" 42" ~ 400 lbs.
HEIGHT x WIDTH x LENGTH/DEPTH WEIGHT

Bronze with patina, plus foundation
OBJECT TYPE(S)/MATERIAL (i.e., metal, glass, stone, etc.)

none
DESIGN LOADS (i.e., wind, and dead loads)

none
INSCRIPTION/FOUNDRY MARKS (if multiple, please include edition number)

Storage facility in Clinton Township, MI
PRESENT LOCATION OF ARTWORK (where is the work of art?)

Excellent
CONDITION

periodic update to patina and foundation
MAINTENANCE REQUIRED (long term care/annual)

\$50,000
VALUE ☐ APPRAISED ☒ OWNER'S STATED VALUE

Concrete poured base, covered in
FOOTING/FOUNDATION REQUIREMENTS
stone or marble facade.

NARRATIVE/RATIONALE FOR GIFT/LOAN/TEMPORARY INSTALLATION

When immigrating to the Detroit area over
55 years ago, Birmingham was where I first lived. I've
been a prolific artistic in the community and would like to

 July 30, 2020
SIGNATURE DATE

give
back
to
my
roots.

***Submit application together with prints or digital images of artwork,
foundation plans, completed Outdoor Sculpture Agreement (if temporary
sculpture), and a vitae or resume of the artist to:

City of Birmingham
Attn: City Clerk – c/o Public Arts Board
151 Martin St.
P.O. Box 3001
Birmingham, MI 48012

PAB Action (Office use only)

Date Received: _____

Presented for Public Arts Board discussion: _____

Board Action: ☐ Recommended for approval ☐ Not recommended for approval

Insurance: ☐ Provided by CCBB ☐ Provided by City ☐ Other _____

Recommendation(s)/Action Taken _____

Routing and dates approved (Office use only):

Y N

☐ ☐ Planning _____

☐ ☐ Engineering _____

☐ ☐ Public Safety (Police/Fire) _____

☐ ☐ Parks and Recreation _____

☐ ☐ Approved by CCBB _____

☐ ☐ Approved by City Commission _____

Y N

☐ ☐ Building _____

☐ ☐ Other _____

☐ ☐ Other _____

Site Location _____

(If artwork is to be permanently donated, the City of Birmingham has the right to relocate and /or remove
the artwork from public display. If permanently donated, the City of Birmingham may provide the
required insurance. If artwork is to be on temporary loan, the CCBB may provide required insurance.)





KEGHAM TAZIAN

Artist | Sculptor | Painter

Kegham Tazian is a globally-renown, award-winning multi-media artist, who has studied, taught, painted, and sculpted in the greater Detroit area for more than 50 years. His artwork has been exhibited, collected and publicly-commissioned around the world. Tazian has gained much notoriety for the diversity of his work and the variety of media exemplified in his pieces. A blend of modernism, realism and abstraction are commonly depicted in his paintings and sculptures.

Biography

Born in 1938 to Armenian parents, Kegham Tazian was relocated with his family to a refugee settlement in Lebanon by a French mission during his first year of life. Later, in 1960, he immigrated to the United States, initially residing in Fort Wayne, Indiana, where his older brother had settled. Without any prior art training or exposure, he began pursuit of his art career while studying at the Fort Wayne Institute of Art in 1961. Tazian received a Bachelor of Arts degree in 1965 and a Master's degree in education in 1966 from St. Francis College in Fort Wayne, Indiana. In 1967, Tazian received a Master's in Fine Arts in sculpture from Wayne State University in Detroit, Michigan.

Soon after receiving his MFA degree, Tazian began teaching a variety of art classes at Oakland Community College in Farmington Hills, Michigan in 1967, and continued as a full-time art professor at its Orchard Ridge Campus until his retirement as Professor Emeritus in 2014. Tazian has been a prolific sculptor and painter since the early 1960s, bringing a high degree of originality to his creations. His award-winning abstract pieces explore, in a variety of mediums, the relationship between texture, shape, position and color. He is known for expressions of humanity and broken landscapes that his art captures from the refugee experience, the thread of hope emerging from the conditions of despair. It is not unusual for Tazian to introduce an archaeological look and feel to his work. He also searches for personality in natural objects and brings that to life in his sculptures. In 2000, during a year of academic sabbatical, Tazian explored the inclusion of digital techniques into his media tool kit, adding another dimension to his traditional genre.

Tazian's artistic creations are displayed in collections around the world: private, municipal, corporate, embassies and museums. For several decades, he has been among the Detroit area's most noted artists. Tazian has been extensively featured in local and national newspapers and magazines for more than five decades. Furthermore, his sculptures and paintings are permanently displayed in prominent positions at city halls, libraries, public parks, municipal buildings, universities and churches throughout the Detroit Metropolitan Area and Southeast Michigan. In the global Armenian community, Tazian's artwork is sought after around the world.

Genre

- a. Contemporary and abstract art
- b. Faces and landscapes of refugees
- c. Archaeological concepts integrated into contemporary art
- d. Elements of nature integrated into contemporary art
- e. Mixed media in painting and sculpture

Tazian is reluctant to classify his own body of work into a single 20th century art movement. He might say that his life's work falls into all of them, or perhaps none of them. It certainly could be encompassed by the broad category of contemporary abstract art. Tazian takes pride in his versatile command of medium, technology, and style. His creations

demonstrate a courage and confidence that few artists possess. In spite of the fact that Tazian should be considered a specialist, or expert, in a number of mediums, his mark on the art world reflects his own belief that artists face a platform of panoramic potential across many mediums, available for unlimited exploration. While rooted in a foundation of traditional painting and sculpture skills, the techniques Tazian uses are of his own making, drawing on six decades of self-performed experimentation and discovery. His paintings have moved from early watercolors and oils, to mixed media with uniquely textured surface results. His sculptures have moved from limestone, marble, bronze and wood to fiberglass, foam, raku, and mixed media, often drawing inspiration from natural or found objects to archaeological motifs. Frequently, Tazian paints or sculpts a hidden face or human form within the piece he is working on, intended as a hidden treasure for the attentive viewers to discover. To Tazian, mystery is part of the creation. It is the surprise a viewer is touched with when looking beyond the first glance. The wonder. The uncertainty. The instant of a lightbulb illuminating in one's brain. It is the same mystery and surprise Tazian experiences with nature. For example, in autumn, looking at a turning maple leaf, suddenly he finds a human face within the leaf's color and texture staring back at him.

Tazian typically creates from the heart, producing a piece that moves him. While it is not necessary for Tazian to make a statement with each piece, producing something that pleases him may be enough, it is not unusual for Tazian to take pause at the human condition and express its contrasts, distortions and inequalities in his art. Old and new. Hope and despair. The birth of humanity from a cauldron of antiquity. Tazian has addressed the plight of the refugee, the experience of the immigrant, and the confinement of the captive with a human hope that inherently strives to overcome struggles in its path. Much of his art has an uplifting theme, as if in some way reaching toward the heavens. His distortion of the human form intentionally reflects and exaggerates the imperfection of humanity while at the same time finding its beauty. Tazian paints and sculpts widows of surreal hope. Windows into the past. Windows into the soul. Windows into the mind. And windows into utopia, a ruined structure framing a keyhole look into a Garden of Eden, often with faces and figures that transcend the decay of the window framing them. Tazian's art reaches past the superficial bling of today's world by connecting directly with the soul to show humanity itself, with its scars and weathered brokenness, as the world's most relevant importance.

Select Solo Exhibits

2018 Galerie Camille, Detroit, MI
 2008 Armenian Community Center, Dearborn, MI
 2005 Farmington Community Library, Farmington Hills, MI
 2001 Farmington Community Library, Farmington Hills, MI
 2000 Oakland Community College, Farmington Hills, MI
 1998 Civic Center Library, Livonia, MI
 1997 Embassy of the Republic of Armenia, Washington, DC
 1997 Skyline Club, Southfield, MI
 1995 Farmington Hills Area Arts Commission Artist-in-Residence Show, Farmington Hills, MI
 1993 Galerie Internationale, Bloomfield Hills, MI
 1992 A.G.B.U. Gallery, Saddlebrook, NJ
 1992 Armenian Cultural Center Art Gallery, Toronto, Canada
 1989 Armenian Community Center, San Francisco, CA
 1988 Cade Gallery, Royal Oak, MI
 1985 Oakland County Galleria, Pontiac, MI
 1984 G.M.B. Gallery, Birmingham, MI
 1984 Oakland County Cultural Council, Pontiac, MI
 1982 A.G.B.U. Gallery, Los Angeles, CA
 1982 G.M.B. Gallery, Birmingham, MI
 1981 Armenian Society of Los Angeles, Glendale, CA
 1980 Hamazkaine Art Gallery, Toronto, Canada

1980 Detroit Hunt Club, Detroit, MI
1979 Headquarters of the Armenian Apostolic Church, New York, NY
1977 Diamond Art Gallery, Flint, MI
1975 Boycourt Gallery, Harbor Springs, MI
1975 Birmingham Gallery, Birmingham, MI
1973 AGBU Gallery, New York, NY
1972 Birmingham Gallery, Birmingham, MI
1971 Fort Wayne Art Institute, Fort Wayne, IN
1965 Saint Francis Art Gallery, Fort Wayne, IN

Select Group Exhibits

2019 The Community House, Birmingham, MI
2018 Art in Fall, The Hovnanian School, New Milford, NJ
2017 Michigan Fine Arts Competition, Birmingham, MI
2016 The Community House, Birmingham, MI
2016 Michigan Fine Arts Competition, Birmingham, MI
2015 Art in Fall, The Hovnanian School, New Milford, NJ
2013 Art in Fall, The Hovnanian School, New Milford, NJ
2009 ArtPrize, Grand Rapids, MI
2006 Walsh College Gala, Novi, MI
2005 Michigan Fine Arts Competition, Birmingham, MI
2005 Galerie Z, Providence, RI
2004 Livonia Annual Art Exhibition, Livonia, MI
2003 Alfred Berkowitz Gallery, The University of Michigan – Dearborn, Diversity in Harmony, Dearborn, MI
2002 Connoisseur of Carmel Galleries, Carmel, CA
2000 Polk Technology Exhibition, Birmingham, MI
1999 Michigan Annual, Mount Clemens, MI
1996 The Community House, Birmingham, MI
1994 National Raku Invitation, Ann Arbor, MI
1994 Alma Library and Museum, Watertown, MA
1993 Michigan Fine Arts Exhibit, Birmingham, MI
1993 Michigan Annual, Mount Clemens, MI
1993 Holy Trinity Armenian Apostolic Church, Sculpture Exhibit, Cambridge, MA
1992 Detroit Public Library, Detroit, MI
1991 Oakland County Galleria, Pontiac, MI
1990 University of Massachusetts Gallery, Boston, MA
1988 Motown Madness: Creative Configuration – Artlink, Fort Wayne, IN
1988 Signature Art, Troy, MI
1988 Gallery G, Pittsburg, PA
1986 AGBU Art Center, Los Angeles, CA
1985 Armenian Art! – Worcester Historical Museum, Worcester, MA
1984 World Expo, Dallas, TX
1983 Celebrate Life Art Show, Congregational Church of Birmingham, Birmingham, MI
1983 Brener Gallery, Boca Raton, FL
1981 The Mall Galleries, London, England
1981 The Third Annual Channel 56 Art Preview, Somerset Mall, Troy, MI
1981 Federal Reserve Bank, Boston, MA
1980 16th Annual Art Exhibit of the Michigan Education Association, Lansing, MI
1979 Garrett Studio and Gallery of Farmington, Farmington, MI

1979 Armenian Art Association of America, Soviet Exhibit, Yerevan, Armenia
1979 Michigan Annual VII Juried Exhibit for Michigan Artists, The Art Center, Mount Clemens, MI
1979 Hall Art Gallery, Portland, MA
1978 Federal Reserve Bank of Boston – Federal Reserve Plaza, Boston, MA
1978 W. F. Mullaly Galleries, National Small Exhibition, Birmingham, MI
1978 AGBU Alex Manoogian School Exhibit Hall, Southfield, MI
1978 Troy Art Gallery, Troy, MI
1974 Texas Fine Arts Association 63rd Annual Exhibit (World Art Show), Dallas, TX
1973 Indianapolis Museum of Art – 64th Indiana Artists Exhibit, Indianapolis, IN
1973 Michigan Art Council Traveling Show, Art Train, Michigan
1972 40th Annual Exhibition – Indiana Artists Club, Indianapolis, IN
1971 Fort Wayne Art Institute, Fort Wayne, IN
1971 Indiana 63rd Annual Artist Show, Fort Wayne, IN
1970 Bloomfield Art Association, Bloomfield Hills, MI
1969 Michigan Academy of Science, Arts, and Letters, Fine Arts Section, Ann Arbor, MI
1969 Ball State University Art Gallery, 15th Drawing and small Sculpture Show, Muncie, IN
1968 Ball State University Art Gallery, 14th Drawing and Small Sculpture Show, Muncie, IN
1968 National Art Show at Ball State University, Muncie, IN
1967 Herron Museum of Art, 60th Annual Indiana Artists Exhibition, Indianapolis, IN
1966 31st Regional Artists Exhibition, Fort Wayne, IN
1964 Indiana Artists Exhibition, Fort Wayne, IN

Museum Collections

Museum of Modern Art, Yerevan, Armenia
Detroit Institute of Arts Rental Galleries
Flint Institute of Arts, Flint, Michigan
Manoogian Art Museum, Southfield, Michigan

Municipal, Corporate and Private Collections and Displays

Embassy of the Republic of Armenia, Washington, DC (three paintings and one sculpture)
National Education Association, Lansing, MI
Oakland County Executive Offices, Pontiac, MI (raku sculpture)
Michigan Education Association, Lansing, MI
Armenian Prelacy, New York, NY
Oakland Community College, Farmington Hills, MI (30 paintings and one large outdoor sculpture)
Farmington City Hall, 125th Anniversary, Outdoor Bronze Sculpture, Farmington, MI
Farmington Hills City Hall Entrance, Farmington Hills, MI (two large indoor mixed media sculptures)
Wayne State University, Gordon Scott Hall, Detroit, MI (two paintings in the lobby)
Forest Lake Country Club, Bloomfield Hills, MI
Saint Francis University, Fort Wayne, IN (10 paintings and sculptures on permanent display)
City of Brighton, Michigan, City Hall (outdoor sculpture)
City of Brighton, Michigan (outdoor bronze sculpture in city park)
Beirut, Lebanon, Armenian Religious headquarters (three bronze indoor sculptures)
Yerevan, Armenia, Armenian Religious headquarters (two indoor bronze sculpture)
Yerevan, Armenia, Political Headquarters Library (large mixed media painting)
Farmington Hills, Michigan, Caustic Center (two sculptures)
Farmington Hills, Michigan Public Library (three large paintings, one bronze sculpture)
Saint Sarkis Armenian Church, Dearborn, MI (bronze entry doors, bronze dome cross, and two paintings)

Saint Albon's Church, Fort Wayne, IN (bronze sculpture)
Toronto Armenian Community Center, Toronto, Canada (nine sculptures and paintings)
Rental Collection Detroit Institute of the Arts, Detroit, MI
Wabeek Country Club, West Bloomfield, MI (relief sculpture commissioned for the lobby)
Hovnanian Armenian School, New Milford, NJ

Awards

Tazian is the recipient of several prestigious local and international awards and honors, including the International Artists in Watercolor Award in London, England in 1981, winner of the Michigan State Fair Art Competition in 1984, the Michigan Education Association Purchase Award, the Michigan Academy of Arts and Letter Award at its 29th Annual Exhibit, First Place Birmingham Community Center Annual Show, Birmingham, Michigan and, in 1995, he was named the Farmington Area Arts Commission Artist-in-Residence. In 2009, Tazian's sculpture was featured at the prestigious ArtPrize international competition in Grand Rapids, Michigan.

Featured Publications

The Oakland Press, October 2018
Rust Belt Arts, September 2018
Metropolitan Woman, January 1992
The Armenian Weekly, January 5, 1980
Detroit Artist Monthly, December 1976
The Armenian Reporter, March 29, 1973
Art News
Art in America
American Artist
The Detroit Free Press
The Detroit News
The Eccentric Newspapers, Birmingham-Bloomfield Edition
The Eccentric Newspapers, Farmington Edition

Education

BA in Art, Saint Francis University, Fort Wayne, IN (1965)
MA in Education, Saint Francis University, Fort Wayne, IN (1966)
MFA in Sculpture, Wayne State University, Detroit, MI (1967)

Personal and Professional Life

- Professor of Fine Art, Oakland Community College, 47 years, Farmington Hills, Michigan
- Director, Smith Theatre Art Gallery, Oakland Community College, 25 Years
- Art Chairperson and Exhibit Organizer, Michigan State Fair, 1968 – 1978
- Organized and Adjudicated Annual Oakland Community College Art Exhibit
- Demonstration in Painting & Collage, 20th Annual Art Conference, University of Michigan, 1972
- Adjudicated the National Ice Carving Competition, Plymouth, Michigan, 1988 and 1989
- *Professor Emeritus*, Oakland Community College
- Frequent lecturer, speaker and panelist on various art topics and trends
- Father of three children, and has four grandchildren
- Currently resides in Farmington Hills, Michigan

FOR MEDIA OR OTHER INQUIRIES, PLEASE CONTACT:

KEGHAM TAZIAN

TAZIAN@SBCGLOBAL.COM | 248.892.8606

WWW.KEGHAMTAZIAN.COM

Pyramid Earth, Kegham Tazian (<https://www.keghamtazian.com/#/public-works/>)
TRW Automotive, Sterling Heights, MI



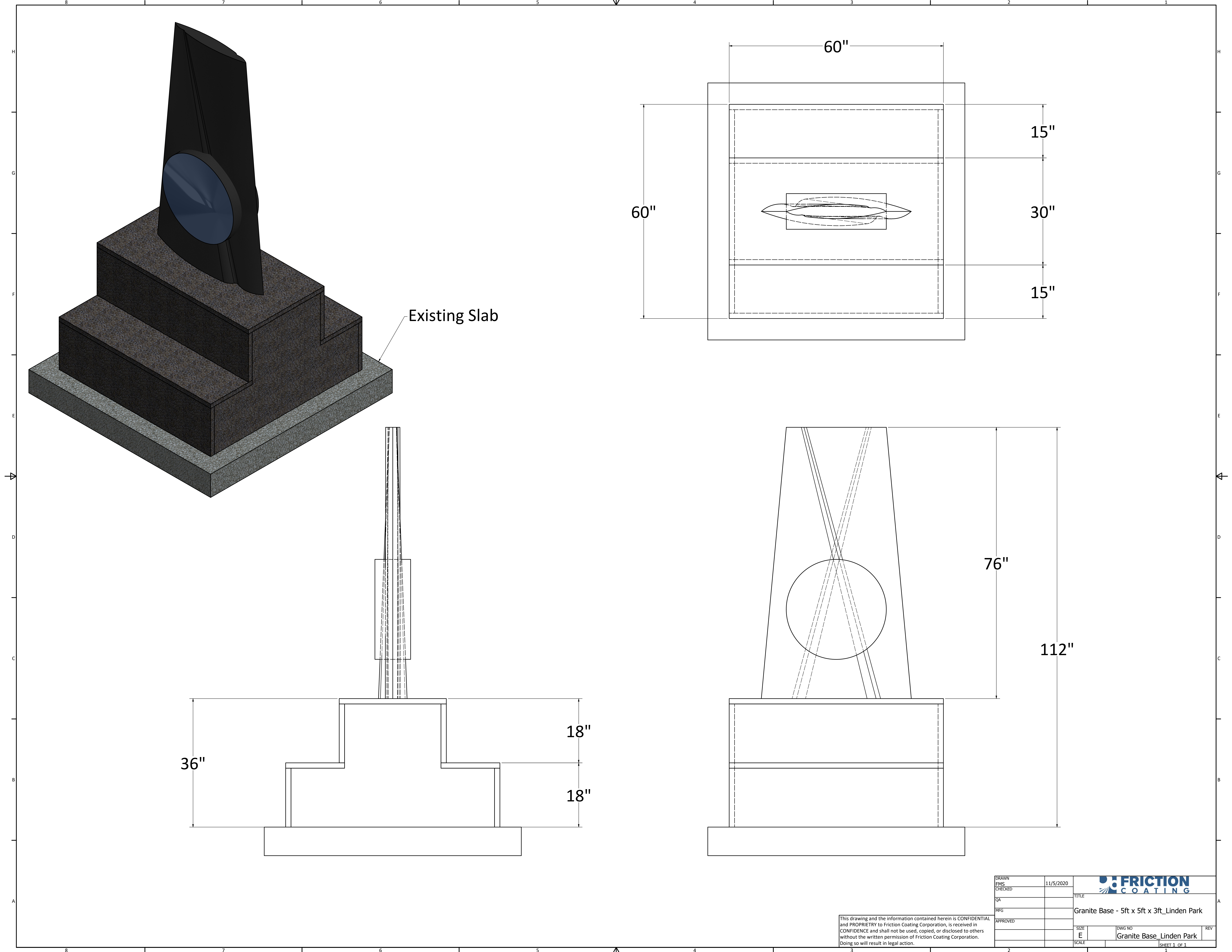
Pyramid Earth, Kegham Tazian (<https://www.keghamtazian.com/#/public-works/>)
Oakland Community College Campus, Farmington Hills, MI

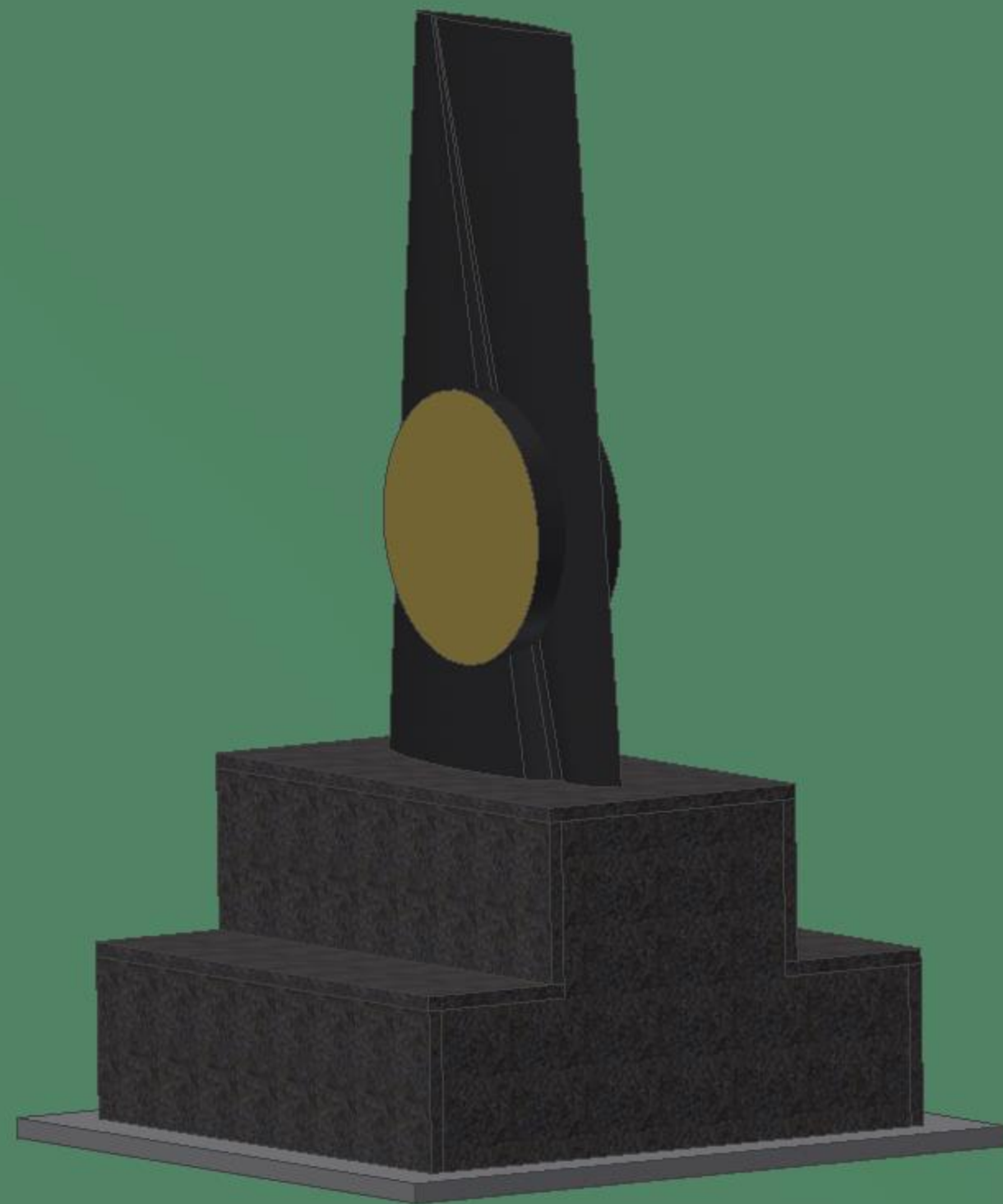








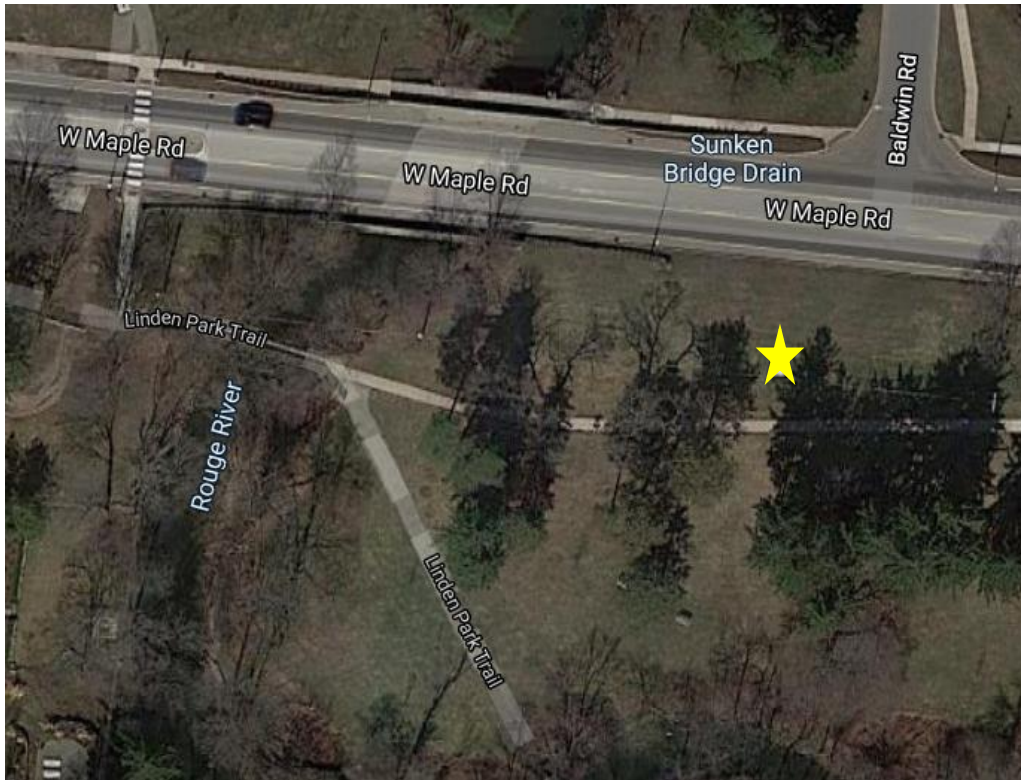




Linden Park Proposed Location









MEMORANDUM

Planning Division

DATE: November 18th, 2020

TO: Public Arts Board Members

FROM: Brooks Cowan, City Planner

APPROVED: Jana Ecker, Planning Director

SUBJECT: Sculpture Donation

Metro Detroit artist Kegham Tazian has applied to donate his sculpture "Pyramid Earth" to the City of Birmingham. The sculpture is bronze with patina plus foundation, is 72" in height, 12" in width, 42" in length, and weighs around 400 pounds. The footing foundation requirements indicate a concrete poured base covered in stone or marble.

Upon reviewing the donation application, members of the Public Arts Board indicated they would like to see the sculpture in person and requested that staff help coordinate a site visit.

In October of 2020, Board members visited the sculpture at its storage location. After review, the Board members recommended the sculpture be in a location that is visible from both sides, and that it be elevated on a pedestal so that the viewer is looking up. The location of the intersection at S. Old Woodward and Woodward, in the green space south of the 555 building was discussed as a potential location. Staff indicated they would discuss this location with the applicant to see if the artist was amenable to this location, and if they could produce a rendering of what it may look like on a base in this location.

Upon discussion with the applicant, staff was asked if there were other locations available, and the vacant pad at Linden Park which the Public Arts Board is currently recruiting for was mentioned. The artist and the mount fabricator then conducted a site visit to the intersection of S. Old Woodward and Woodward, as well as Linden Park. The artist indicated to staff that the location at Linden Park is preferred due to the higher amounts of foot traffic due to its proximity to the sidewalk along Maple, Linden Trail and Quarton Lake Trail.

The Public Arts Board is currently recommending a call for entry for new sculptures at five locations. The Linden Park site is one of the sought after recruitment locations, therefore if the Public Arts Board pursues this location for Pyramid Earth, the call for entry will be reduced to four prioritized locations.

The applicant has also requested that the sculpture be mounted on a stepped base and recommends a height of 3 feet for the base. The applicant has provided plans for how the proposed sculpture and base would fit on the concrete pad currently at Linden Park. The stepped base could be constructed with either pre-cast concrete or granite. Cost for the base was estimated to be \$6,500 for pre-cast concrete and \$8,500 for granite. The Public Arts Board has previously considered coordinating with the artist and other art organizations to possibly recommend assisting for a third of the cost of the base. The Board may wish to discuss financial assistance recommendations for a sculpture base.

Recommended Motion:

To recommend that the City accept the donation of Pyramid Earth by Kegham Tazian and for the sculpture to be installed at Linden Park as indicated on the map;

AND

To recommend that the City contribute _____ of financial assistance from the Public Arts Board budget towards the construction of a base in partnership with the artist for the sculpture installation.

Pyramid Earth, Kegham Tazian (<https://www.keghamtazian.com/#/public-works/>)



Linden Park





DATE: December 1st, 2020

TO: Parks and Recreation Board

FROM: Brooks Cowan, City Planner

APPROVED: Jana Ecker, Planning Director

SUBJECT: Pyramid Earth Donation

Local Artist Vahe Tazian has applied to donate his sculpture "Pyramid Earth" to the City of Birmingham. Pyramid earth is three feet wide and five feet in height.

Upon discussion between the Public Arts Board, staff and the artist's representatives, the applicant has indicated a preference for the location at Linden Park, between Maple Road and the Rouge River. This location currently has a 6'x6' concrete pad for a sculpture.

On November 18th, 2020, The Public Arts Board discussed the donation, as well as the need for a sculpture pedestal. The artist indicated a preference for a granite pedestal in a stepped manner three feet in height. This would be more costly than a precast concrete pedestal, however it would look better and would be easier to move if necessary. The Public Arts Board agreed that a granite pedestal would be more ideal. The granite pedestal was projected to cost \$8,500 at most according to the applicant. The sculpture would be attached to the top step and reach a total height of roughly eight feet.

The Public Arts Board had previously indicated a desire to do a call for entry to recruit new art for the City, and had selected five locations to focus on and possibly provide money for. The board has recommended \$2,000 from its budget for each work of art approved, for the total not to exceed \$10,000. The Linden Park location is one of the locations the Public Arts Board is recruiting new art for, therefore the Board was in agreement that recommending an installation stipend of \$2,000 from its budget for the artist was reasonable.

The recommended location is in Linden Park, therefore the sculpture is also required to be reviewed by the Parks and Recreation Board before going to City Commission. The Parks and Recreation Board is not required to comment on the Public Arts Board recommendation to spend money from their budget.

SUGGESTED LANGUAGE:

To recommend that the City accept the donation of Pyramid Earth by Kegham Tazian and for the sculpture to be installed at Linden Park as indicated on the map.

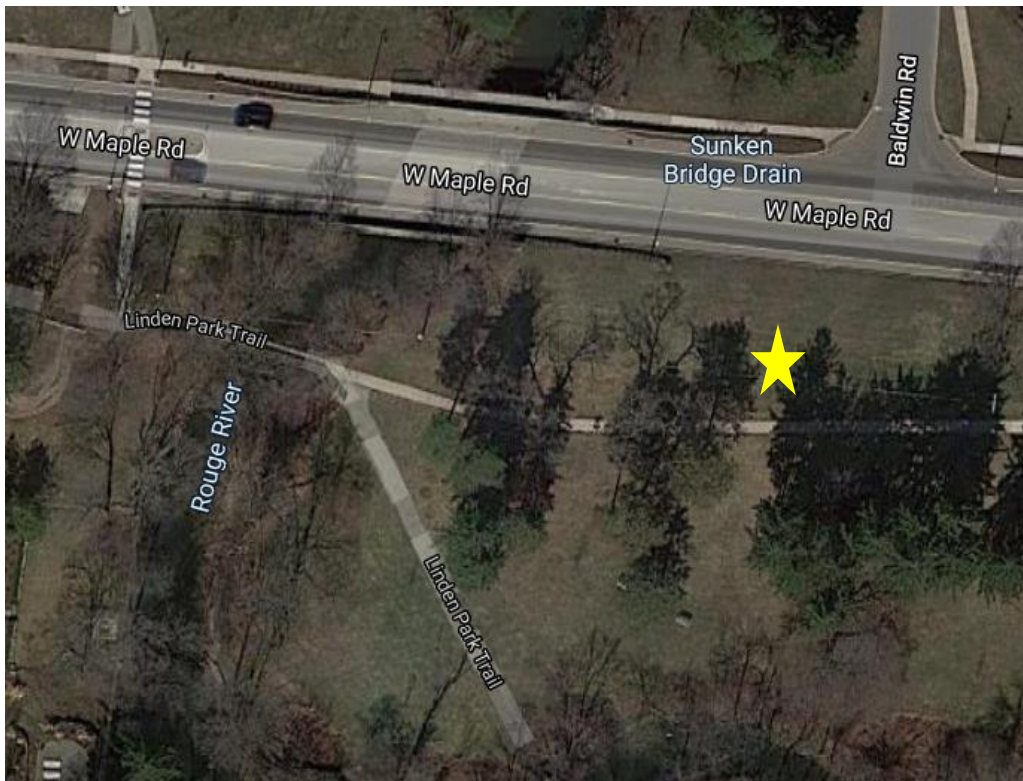
Pyramid Earth, Kegham Tazian (<https://www.keghamtazian.com/#/public-works/>)
Oakland Community College, Farmington Hills, MI



Linden Park







Public Arts Board Minutes

Public Meeting on Zoom – August 19th, 2020

A. Roll Call:

Members Present: Barbara Heller, Monica Neville, Jason Eddleston, Anne Ritchie, Annie VanGelderren, Linda Wells, Natalie Bishae

Members Absent:

Administration: Brooks Cowan, City Planner

Members of the Public: Kathy Walgren

D. New Business

The Board reviewed a sculpture donation made to the City by Kegham Tazian. The piece is titled Pyramid Earth and is roughly 6' in height and sits on top of a large square foundation. The Board evaluated photos of the sculpture in a park setting surrounded by trees. The Board wanted to see photos of the sculpture from the side. Members of the board also requested staff to contact the artist to see if they could visit the sculpture in person. Questions raised would be addressed by staff in the next meeting.

Public Arts Board Minutes

Public Meeting on Zoom – October 21st, 2020

A. Roll Call:

Members Present: Barbara Heller, Monica Neville, Annie VanGeldereren, Jason Eddleston, Linda Wells

Members Absent: Natalie Bishae, Anne Ritchie

Administration: Brooks Cowan, City Planner

Members of the Public:

B. Unfinished Business

Staff presented the Terminating Vista Framework for Implementation that was presented to City Commission weeks earlier. The Public Arts Board found the framework to be a reasonable timeline for recommendations.

The Public Arts Board's Call for Entry was then brought back for discussion as the next item, however the Board wished to move it to the end of the meeting in order to discuss the Pyramid Earth lending or donation before it.

Motion to move the Call for Entry item to the end of the meeting was made by Annie Van Gelderen, seconded by Linda Wells.

Yeas: 5 Nays: 0

The motion carried.

E. Unfinished Business (Continued)

In regards to the sculpture donation application for Pyramid Earth, Board members had previously indicated an interest in conducting a site visit to see it in person. Board members Annie Van Gelderen and Barbara Heller were able to visit the sculpture the weekend before the Board meeting and provided the members with additional photos. The location south of the 555 building was discussed, as well as the need for a new sculpture pedestal due to the prior one cracking. There was consensus from the Board that the sculpture should be elevated and not installed directly at ground level.

The Board mentioned it could be open to recommending a location and some financial assistance to create a new pedestal, but wanted to know how the mount would look with the sculpture. Staff noted that it would contact the artist and request a rendering of a pedestal with the sculpture in a recommended location.

Public Arts Board Minutes

Public Meeting on Zoom – November 18th, 2020

A. Roll Call:

Members Present:	Barbara Heller, Monica Neville, Annie VanGeldereren, Jason Eddleston, Linda Wells, Anne Ritchie
Members Absent:	Natalie Bishae
Administration:	Brooks Cowan, City Planner
Members of the Public:	Vahe Tazian, Charlie Neff

B. Unfinished Business

The first item discussed was the Pyramid Earth application for donation to the City. The Board had previously requested that the applicant provide a rendering of the sculpture with a pedestal. The Board had also previously discussed the green space south of the 555 building as a potential location. Staff indicated that upon discussing a rendering and potential location with the applicant, the question of other possible locations arose. The location at Linden Park was suggested as another possible location. After conducting a site visit, the applicant indicated a preference for the Linden Park site.

Quotes for two different pedestals were presented by staff, one being precast concrete for \$6,500 and the other being granite for \$8,500. Both designs are 3 feet in height with two steps. Although the precast concrete is less expensive, the pedestal would weigh close to 3,500 pounds and would be more difficult to install and then move if necessary. The granite pedestal would be more expensive, but would provide a greater aesthetic design to match the sculpture and would be easier to relocate if necessary.

The applicant then answered questions from the Board. Vahe Tazian, speaking on behalf of artist, said that they prefer the granite pedestal due to the aesthetics, and that the estimates provided are at the high end, therefore final costs could be lower. The applicant's installation specialist Charlie Neff also indicated that they intend to use the company Anytime Hoist for transporting and installing the sculpture and pedestal. This company has assisted the artist in moving the sculpture four different times. The pedestal would be constructed off-site, and the artist would refinish the patina before final installation. Representatives of the applicant also indicated that required maintenance would be little to none after installation.

Board members also asked questions regarding the background of the sculpture. Vahe Tazian indicated that the sculpture was commission by TRW Automotive in Sterling Heights in 1994 where it resided until 2008. When the company left the building and was clearing out assets, the company gave the sculpture back to the artist. The sculpture was then moved to the Oakland Community College Campus in Farmington Hills.

After questions for the applicant were complete, staff indicated items for discussion include sculpture location, pedestal material, and potential funding. There was general consensus that the Linden Park location is an acceptable location, as the background is similar to the setting of the sculpture in the image at Oakland Community College. The Board also agreed that the granite base would look better, be easier to move, and would honor the wishes of the applicant. In regards to cost, the location is one of the sites the Public Arts Board had previously discussed including in their call entry. The Board intended on recruiting for five locations and requesting to provide a stipend of \$2,000 for up to five sculptures if approved. The Board agreed that requesting a \$2,000 stipend to assist with the pedestal construction and installation was reasonable. The applicant indicated that covering the remaining costs for construction and installation could be difficult, however the Board felt that it was important to remain within budget, and that various art organizations such as the Cultural Council for Birmingham Bloomfield could serve as another source of funding.

A motion was made by Annie VanGelderren and seconded by Monica Neville to recommend that the City accept the donation of Pyramid Earth by Kegham Tazian and for the sculpture to be installed at Linden Park as indicated on the map;

AND

To recommend that the City contribute \$2,000 of financial assistance from the Public Arts Board budget towards the construction of a granite base in partnership with the artist for the sculpture installation.

Yeas: 6

Nays: 0

The motion carried.



ANYTIME

HOISTING

586.623.1157

USDOT 1635245

WARREN MI.

FRICTION COATING CORPORATION

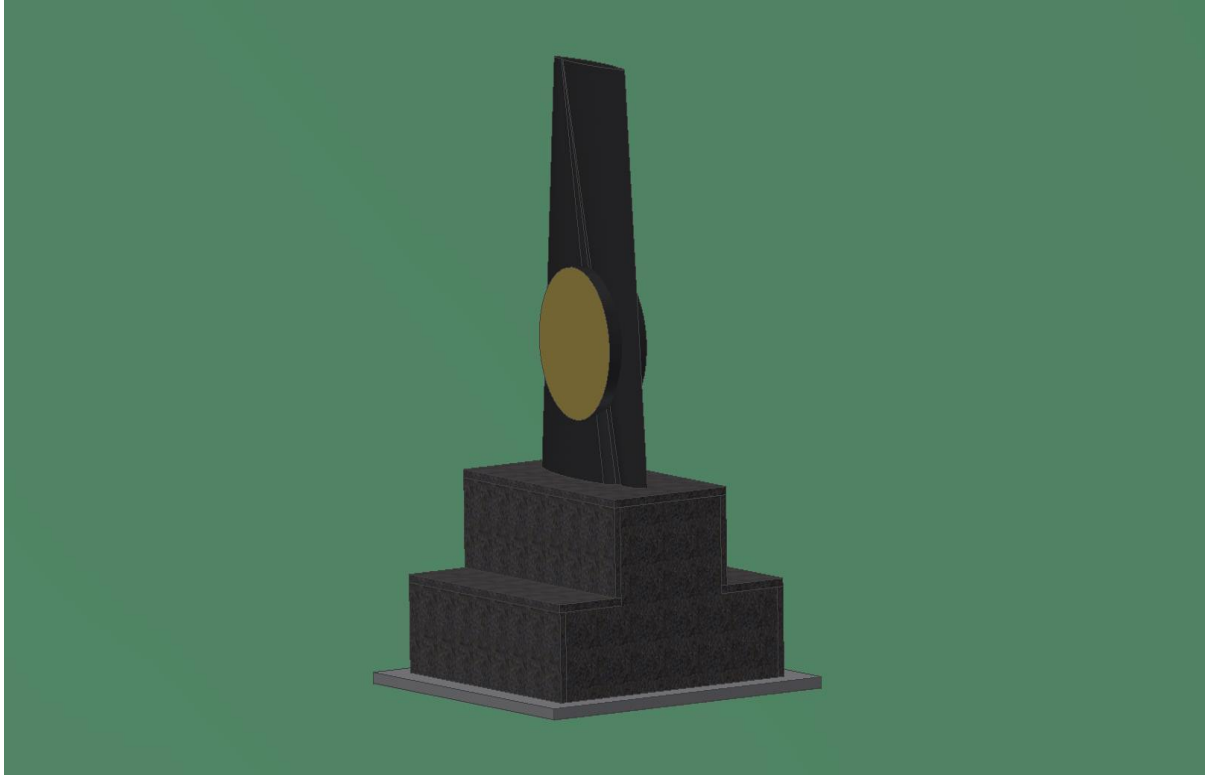
44833 Centre Court
Clinton Township, Michigan 48038
313-618-4933
www.frictioncoating.com

To the Birmingham Public Arts Board:

We quote \$7,950 for installation of the Pyramid Earth sculpture and granite base in Linden Park in the City of Birmingham, Michigan (location shown below).



Our crew will bolt the sculpture to a structural steel frame skinned in black granite. We will anchor the steel frame to the existing concrete slab. This quote covers all materials, labor, delivery of the base, machinery rental and contracted services necessary to complete the installation.

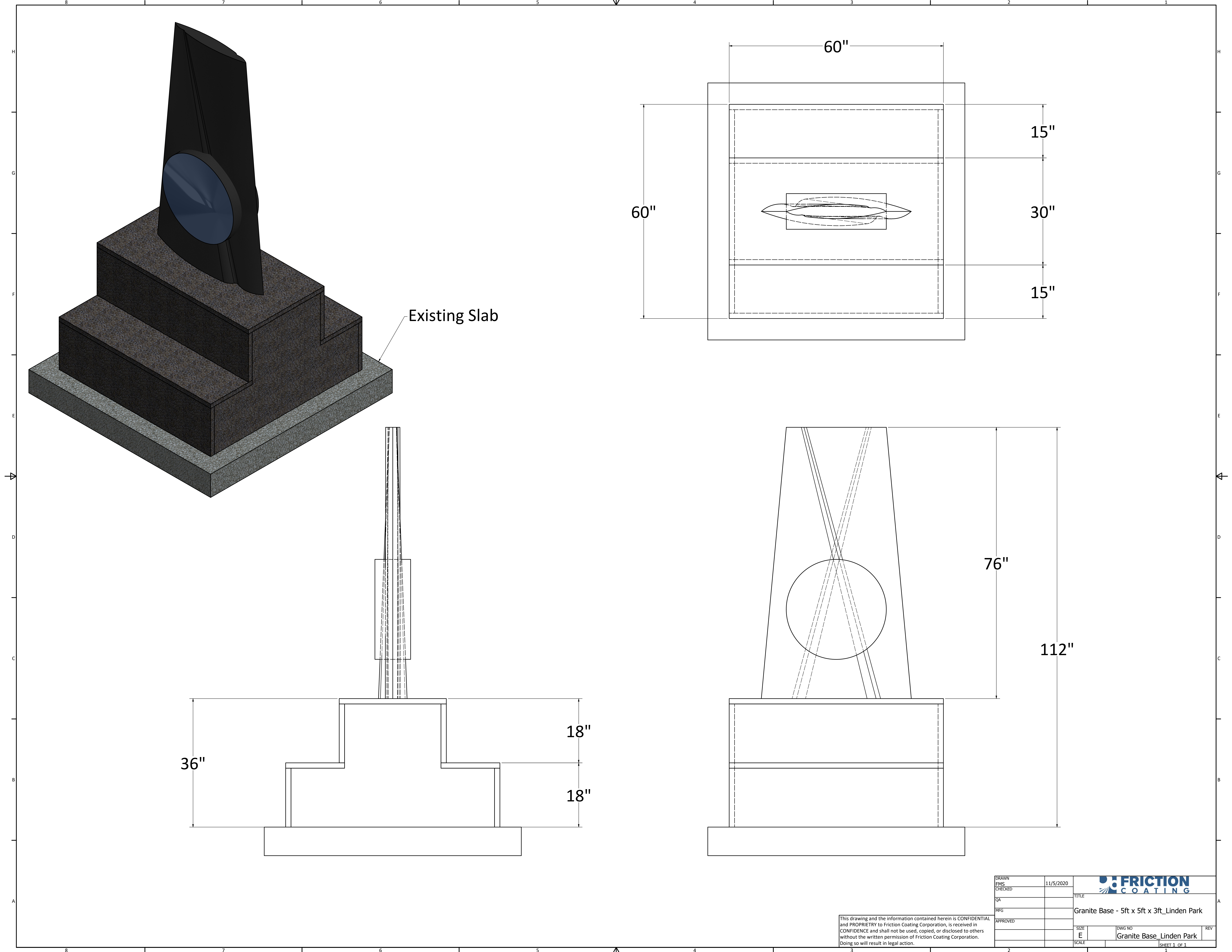


The sculpture base is 5 feet by 5 feet and 3 feet tall. The first-tier portions are 18" elevated and 15" deep. Once installed, the overall height of the sculpture will be 9 feet 4 inches.

The installation should be completed in one (1) day, with minimal temporary blocking of traffic on Maple Road, if required, for loading and unloading of the crane, machinery and equipment.

Thank you for considering our services. Please call with any questions.

**Charles Neff PE 28134
President
Friction Coating**



DATE: February 8, 2021

TO: Thomas M. Markus, City Manager

FROM: Melissa Fairbairn, Assistant to the City Manager

SUBJECT: Bang the Table

INTRODUCTION:

Public engagement platforms offer municipalities various methods such as polls, forums, surveys, idea boards, and pinnable maps to share and collaborate with residents. At the September 21, 2020 meeting, staff reviewed three public engagement platforms: Bang the Table, PlaceSpeak, and CitizenLab. The Commission requested additional research into Bang the Table, its use in other communities, and how it may be implemented in Birmingham.

BACKGROUND:

Bang the Table is a public engagement platform designed to increase public participation in the municipal decision-making process. Residents and other stakeholders will be able to utilize Bang the Table to offer ideas, ask questions, and share concerns about their community. Staff will use the platform to share information and plans, answer residents' questions, and gather multiple forms of feedback.

Staff reached out to 28 communities in the U.S. that currently use Bang the Table to request feedback about their experiences implementing the platform. Staff members from 12 communities responded. They are:

- Arvada, CO (pop. 120,492)
- Austin, TX (pop. 964,254)
- Boulder, CO (pop. 107,353)
- Corinth, TX (pop. 21,823)
- Edina, MN (pop. 52,490)
- Longmont, CO (pop. 96,577)
- Mankato, MN (pop. 41,701)
- McCandless, PA (pop. 28,311)
- Mercer Island, WA (pop. 25,976)
- Port Chester, NY (pop. 29,282)
- Sammamish, WA (pop. 65,733)
- Tigard, OR (pop. 54,784)

A review of the responding cities' websites, calendars, and social media found that they use traditional methods of engaging the public such as opportunities to attend meetings or to join boards and commissions, offer feedback at charrettes, and social media outreach in conjunction with Bang the Table. Prior to the COVID-19 pandemic, Arvada, CO and Boulder, CO offered

regularly scheduled drop-in hours for residents to discuss projects with staff members in addition to the standard engagement activities.

Staff members who responded from each city had positive experiences with Bang the Table and recommended the platform. They cited Bang the Table's user-friendly interface, data collection tools, and customer support as reasons for their recommendation. Several cities' staff attested that they were able to reach and engage with residents who had not participated previously in traditional civic engagement opportunities such as charrettes or public comment at board and commission meetings.

Of the twelve (12) cities that responded, only Longmont, CO added a part-time staff member to implement the platform. Staff from other cities stated they were able to incorporate Bang the Table into their regular workload due to the platform's ease of use and time savings from other engagement opportunities. Staff from other communities suggested that Bang the Table best fosters public engagement when frequently updated with new information and high-interest projects.

Based upon this research, staff recommends that the City purchase an annual subscription to Bang the Table. The platform will be used by City of Birmingham staff across multiple departments to create virtual public engagement opportunities for projects such as the 2040 Master Plan and the Parks and Recreation bond.

LEGAL REVIEW:

The legal team has reviewed and approved of the service agreement with Bang the Table.

FISCAL IMPACT:

Bang the Table's total purchase price of \$14,900 consists of the annual licensing fee of \$13,000 and the onboarding fee of \$1,900. This purchase was not forecasted when the 2020-2021 budget was prepared, therefore a budget amendment is required.

SUMMARY:

The IT department requests to purchase an annual license and onboarding fee from Bang the Table for \$14,900 to be used across City departments to expand the type of public engagement methods and opportunities offered to our residents.

SUGGESTED RESOLUTION:

Authorize the IT department to purchase an annual license and one-time onboarding fee from Bang the Table public engagement software for a total of \$14,900. This purchase should be charged to account #636-228.000-933.0700 and further to approve the appropriation and amendment to the fiscal year 2020-2021 Computer Equipment Fund budget as follows:

Revenues:

Appropriation from Net Position	636-000.000-400.0000	\$14,900
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Expenses:

Connectivity	636-228.000-933.0700	\$14,900
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ATTACHMENTS:

- Service Agreement
- Bang the Table Prospectus
- September 16, 2020 Memo



Service Agreement

Name of "Customer" City of Birmingham, MI

Customer Address 151 Martin Street, P.O Box 3001 Birmingham, Michigan 48012

Customer Phone (248) 530-1807

Primary Contact Melissa Fairbairn
mfairbairn@bhamgov.org

Term to

Service Details See Bang the Table's proposal and/or prospectus for details.

Total Fees \$14,900 excluding tax

EngagementHQ Package Annual License

EngagementIQ Package Core Support

Additional Services & Integrations Onboarding

Integrations require the cooperation of third parties. We enter into a contract to provide integrations on the basis of 'best endeavors' if, for reasons beyond our control, an integration ceases to work we will refund pro rata the integration portion of the contract. This has no impact on the software package and service components of the contract.

The Master Terms and Conditions set forth below (the "Terms", and together with this Service Agreement, collectively, the "Agreement") are a binding agreement between you ("you" or "Customer") and Bang the Table, ("BTT", "us" or "we") governing your use of the Services ordered above. The Terms are hereby incorporated into this Service Agreement. By signing below, each party agrees to comply with the terms and conditions set forth in this Service Agreement and in the Terms.

Master Terms and Conditions

These master terms and conditions (the "Terms"), and together with your Service Agreement ("Service Agreement"), and any attached Proposal are a binding agreement (the "Agreement") between you ("you" or "Customer") and Bang The Table, ("BTT", "us" or "we") governing your use of the services ordered on your Service Agreement (the "Services") This Agreement is effective as of the date you entered into your Service Agreement ("Effective Date").

1 Access Grant & Restrictions

1.1 Subscription to the Service. Subject to the terms of this Agreement, BTT hereby grants to the Customer a limited, non-sublicensable, non-transferable, non-exclusive subscription during the term of the Service Agreement for the Customer to access and use the specific services and feature sets of the Service specified in the applicable Service Agreement by up to the number of users identified in that Service Agreement, and solely for the Customer's business purposes as outlined on the Service Agreement and these Terms. BTT and its licensors reserve all rights not expressly granted to the Customer in this Agreement. BTT upgrades its software on a continuous basis and, while we strive to minimize the impact on the customer of any upgrades (our policy is not to change the public facing appearance of your site without your permission), BTT reserves the right to make necessary changes or modifications to the Service.

2 Customer Responsibilities. The Customer is responsible for ensuring the compliance with these terms of each of the Customer's authorized users ("Administrators") and is liable for all activity under the Customer's Administrator accounts. The Customer shall use best efforts to prevent unauthorized access to, or use of, the Service, and will notify BTT promptly of any unauthorized use of any password or account or any other known or suspected breach of security. The Customer will not attempt to or use the Customer's access to the Service to knowingly interfere with or disrupt the integrity or performance of the Service or the data contained therein. The Customer shall not allow Administrator credentials to be shared. You must ensure that we receive, in a timely manner, all information we need to enable us to supply the Services.

3 Support; Hosting. BTT will host the Website as set forth in the Service Agreement and applicable Proposal document. BTT will, where practicable, answer questions and help troubleshoot. To the extent set forth on the Service Agreement, BTT will also provide hosting and support services as set forth in Proposal, attached hereto, which is hereby incorporated hereto.

4 Termination. Customer may terminate this Agreement upon at least thirty (30) days written notice to BTT for any or no reason. BTT will not terminate this Agreement (but may non-renew as outlined in the Service Agreement) except where Customer has breached this Agreement and such failure continues for thirty (30) days after Customer receives written notice of same. Upon the termination of this Agreement for any reason: (a) any amounts owed to BTT by the Customer under this Agreement before such termination will become immediately due and payable, (b) Customer will cease using the Service and Website; and (c) BTT will shut down the Website. The rights and duties of the parties that are designed to survive termination or expiration will survive.

5 Acknowledgments. Each party acknowledges and agrees that it has the legal power and authority to enter into this Agreement. The Customer acknowledges and agrees that: (a) Customer shall abide by all applicable laws and regulations in connection with the Customer's business operations and the use of the Service, Website, and Website Visitor information, and (b) Customer owns or has obtained all rights, consents, permissions, or licenses necessary to allow the Service access to, or possession, manipulation, processing, or use of the Customer's Data and any data from Website Visitors; and (c) the Customer shall ensure that its collection, use, and sharing of information (including data from Website Visitors) is in accordance with applicable law, and its privacy policy; and (d) Customer owns or has sufficient rights to any Customer content displayed on the Website. Should you wish to change the terms of use on the Website you can do so but (as these terms are between BTT and the website visitors) in so doing you accept all responsibility for any content provided by users and website visitors.

6 Disclaimer of Warranties. EXCEPT AS SET EXPRESSLY FORTH IN THIS AGREEMENT, BTT AND ITS LICENSORS MAKE NO REPRESENTATION, WARRANTY, OR GUARANTY AS TO ANY CONTENT (INCLUDING ANY CONTENT FROM WEBSITE VISITORS), THE SERVICE, OR WEBSITE. ALL CONDITIONS, REPRESENTATIONS AND WARRANTIES, WHETHER EXPRESS, IMPLIED, STATUTORY OR OTHERWISE ARE HEREBY DISCLAIMED.

7 Ownership. BTT and its licensors own all rights, title and interest, including all related intellectual property rights, in and to the Services, BTT content, platform, and technology, including all enhancements, modifications or derivative works to the foregoing, as well as any suggestions, ideas, enhancement requests, feedback, recommendations or other information provided by the Customer or any other party relating to the Services. The BTT name, the BTT logo, and the product names associated with the Services are trademarks of BTT or third parties. All rights not expressly granted are hereby retained by BTT. BTT does not own the information submitted by Customer or its Website Visitors (the "Customer's Data"). The Customer retains all right, title and interest in and to the Customer's Data. The Customer grants to BTT all necessary licenses and rights in and to the Customer's Data as necessary for BTT to provide Services to the Customer. The Customer is responsible for the Customer's Data including without limitation the accuracy, quality, integrity, legality, reliability, appropriateness of the foregoing, and obtaining any intellectual property rights ownership or right to use the foregoing. BTT reserves the right to de-identify or aggregate (or both) any data (including Customer Data), information or content obtained by BTT relating to Customer, its Administrator's, or Website Visitors use or receipt of Services, including without limitation information about how the Services are used by such users ("De-identified Data"). BTT may use De-identified Data for product optimization and development, benchmarking, and internal research but will not share any information that identifies Customer or any Website Visitor by name with any third party, except as strictly necessary to provide the Services.

8 Insurance. Bang The Table shall not commence work under this Agreement until it has, at its sole expense, obtained the insurance required by this paragraph. All certificates of insurance shall be with insurance carriers licensed and admitted to do business in the State of Michigan. All coverages shall be with insurance carriers acceptable to the City of Birmingham. Bang The Table shall maintain during the life of this Agreement the types of insurance coverage and minimum limits as set forth below:

A. **Workers' Compensation Insurance:** Bang The Table shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

B. Commercial General Liability Insurance: Bang The Table shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.

C. Professional Liability Insurance: If Professional Liability Insurance is available, Professional Liability Insurance with limits of not less than \$1,000,000 per claim if Bang The Table will provide service that are customarily subject to this type of coverage, and as part of that policy, \$4,000,000 for Cyber Liability.

D. Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance, and Professional Liability Insurance as described above, shall include an endorsement stating the following: "Thirty (30) days Advance Written Notice of Cancellation or Non-Renewal shall be sent to: Director of Finance, City of Birmingham, P.O. Box 3001, 151 Martin Street, Birmingham, Michigan 48012.

E. Proof of Insurance Coverage: Bang The Table shall provide the City of Birmingham at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City, as listed below.

Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance;

Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;

Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;

Two (2) copies of Certificate of Insurance for Professional Liability Insurance;

F. Coverage Expiration: If any of the above coverages expire during the term of this Agreement, Bang The Table shall deliver renewal certificates and/or policies to the City at least (10) days prior to the expiration date.

9 Indemnification. To the fullest extent permitted by law, Bang The Table and any entity or person for whom Bang The Table is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City of Birmingham, its elected and appointed officials, employees and volunteers and others working on their behalf against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City of Birmingham, its elected and appointed officials, employees, volunteers or others working on their behalf, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arise out of the acts, errors or omissions of the Bang The Table including its employees and agents, in the performance of this Agreement. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the City of Birmingham.

The City of Birmingham agrees that the contractors shall be solely responsible for job site safety and all contractors shall be required in the CITY'S contract with such contractors to indemnify the Bang The Table for any liability incurred by the Bang The Table as a result of the contractor's negligent acts or omissions. However, such indemnification shall not extend to liability resulting from the negligence of the Bang The Table.

10 Arbitration. Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 48th District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds \$1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court or the 48th District Court.

11 Limitation of Liability. TO THE EXTENT PERMITTED BY APPLICABLE LAW, IN NO EVENT SHALL EITHER PARTY BE LIABLE TO ANYONE FOR ANY INDIRECT, PUNITIVE, SPECIAL, EXEMPLARY, INCIDENTAL, OR CONSEQUENTIAL DAMAGES OF ANY TYPE OR KIND, OR ANY LOSS OF DATA, REVENUE, PROFITS, USE OR OTHER ECONOMIC ADVANTAGE, ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE SERVICES, OR THIS AGREEMENT, EVEN IF THE PARTY FROM WHICH DAMAGES ARE BEING SOUGHT OR SUCH PARTY'S LICENSORS HAVE BEEN PREVIOUSLY ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IN NO EVENT SHALL BTT'S CUMULATIVE LIABILITY FOR ANY CLAIM, LOSS, ACTION, FEE, OR DAMAGE OR ANY OTHER DISPUTED UNDER THIS AGREEMENT EXCEED THE AMOUNT OF FEES PAID BY CUSTOMER TO BTT IN THE 12 MONTHS PRECEDING THE CLAIM.

12 Confidentiality. Neither party will use the confidential information of the other party for any purpose other than exercising its rights or obligations under this Agreement, and will disclose the confidential information only to those of its employees or contractors who have a need to know for purposes of the Agreement. Notwithstanding, either party may disclose the other party's confidential information as required by law so long as, if permitted by law, such party notifies the disclosing party prior to disclosure and uses reasonable efforts to limit disclosure to only what is required by law.

13 General Terms. This Agreement may not be assigned by the parties without the prior written approval of the other party, although BTT may use subcontractors so long as it remains responsible for such subcontractors. Any purported assignment in violation of this section shall be void. BTT shall not be liable for any failure by it to perform its obligations under this Agreement because of circumstances beyond the reasonable control of BTT. No text or information set forth on any other purchase order, preprinted form or document (other than an associated BTT quote or invoice, if applicable) shall modify the terms and conditions of this Agreement. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, then

such provision(s) shall be construed, as nearly as possible, to reflect the intentions of the invalid or unenforceable provision(s), with all other provisions remaining in full force and effect. The parties are independent contractors and this Agreement does not create any joint venture, partnership, employment, or agency relationship between the Customer and BTT. The failure of BTT to enforce any right or provision in this Agreement shall not constitute a waiver of that or any future right or provision unless acknowledged and agreed to by BTT in writing. These Terms, together with any associated Service Agreement, Proposal, or invoice, comprises the entire Agreement between the Customer and BTT and supersedes all prior or contemporaneous negotiations, discussions or agreements, whether written or oral, between the parties regarding the subject matter contained herein.

14 Effective Date. This Agreement shall be effective on _____, 2021. .

CUSTOMER CITY OF BIRMINGHAM

Signature: _____

Printed: Pierre Boutros, Mayor

Signature: _____

Printed: Alexandria D. Bingham, City Clerk

Date: _____

BANG THE TABLE

Signature: Mat Crozier

Printed: Matthew Crozier

Title: CEO and Co-Founder

Date: 28 JAN 2021

Approved:

Thomas M. Markus
Thomas M. Markus, City Manager
(Approved as to substance)

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

Eric Brunk
Eric Brunk, IT (Approved as to form)

Mark A. Gerber
Mark A. Gerber, Director of Finance
(Approved as to financial obligation)

DATE: September 16, 2020

TO: Joseph A. Valentine, City Manager

FROM: Melissa Fairbairn, Management Intern

SUBJECT: Presentation on Public Engagement Platforms

INTRODUCTION:

At the July 13, 2020 City Commission meeting, staff was asked to investigate public engagement platforms and present research to the Commission.

RESEARCH:

To identify the platforms that may be useful to the City, five (5) platforms were reviewed. Each of these platforms was designed to bring citizens into the governmental decision-making process for master planning, park development and renovation, and infrastructure projects. Cities also use public engagement platforms as a space to receive and respond to feedback and gather proposals for new programs from their residents. Public engagement platforms offer methods such as polls, forums, surveys, idea boards, participatory budgeting games, and pinnable maps to encourage citizen participation.

Three of the platforms, Bang the Table, CitizenLab, and PlaceSpeak, offer the full set of features that the City of Birmingham may want to use for future public engagement opportunities. The MetroQuest and Thought Exchange platforms were designed primarily for transit or budgeting and therefore do not offer a full complement of options for engagement.

	Forum	Idea Board	Map	Polls	Surveys	Staff Contact	Project Timeline
Bang the Table	✓	✓	✓	✓	✓	✓	✓
PlaceSpeak	✓	✓	✓	✓	✓	✓	✓
CitizenLab	✓	✓	✓	✓	✓	✓	✓
Thought Exchange	✓	✓		✓	✓		
MetroQuest			✓	✓	✓		

Bang the Table has an extensive list of U.S. clients including Mercer Island, WA, Boulder, CO, and Kingston, NY as well as many more clients in Canada, Australia, New Zealand, and the United Kingdom. Bang the Table offers many tools that cities can use to structure their public engagement programs. City staff can choose which tools to implement based on their engagement needs for a particular project. These tools include:

- *Polls*
- *Surveys*
- *Forums*

- *Ideas*: A tool that allows residents to share their ideas either about a specific project or generally about the city
- *Places*: A map tool that residents can use to drop a pin on a site map and describe how they use the location, features that they would like added, or repairs that need to be made
- *Stories*: Invites residents to tell a story about an experience or a problem in the city
- *Guestbook*: A space for moderated commenting
- *Questions*: A Q & A tool in which residents can ask questions and receive replies from the staff
- *Administrative Tools*: data management, demographic analysis, response clustering, comment analysis, auto-moderation for spam

CitizenLab has many European clients including Linz, Austria and Leuven, Belgium. Vancouver, Canada has also used the CitizenLab platform. CitizenLab offers many of the same features as Bang the Table as well as a participatory budgeting tool. CitizenLab describes these features as a modular toolkit that offers cities flexibility in the structure of their engagement projects. These tools include:

- *Surveys*
- *Polls*
- *Scenarios*
- *Q & A*: Residents can use this tool to ask questions about a project & receive answers from staff
- *Citizen Proposals*: Allows residents to propose a project or a policy change
- *Mapping*: Allows residents to pin their ideas or feedback on a map
- *Ideation*: A tool that allows residents to share their ideas
- *Budget Game*: Allows residents to determine which projects they would allocate available funds to
- *Online workshops*
- *Administrative Tools*: data management, demographic analysis, response clustering, comment analysis, auto-moderation for spam

PlaceSpeak also offers a variety of tools for cities to use to promote engagement. PlaceSpeak has been used by many cities in Canada including Lakeshore, ON and Duncan, BC. PlaceSpeak's user interface is more map-focused than the other platforms. Residents who sign up with PlaceSpeak are able to interact with the City of Birmingham, other nearby municipalities, or Oakland County as those governmental bodies created PlaceSpeak accounts. PlaceSpeak's features include:

- *Polls*
- *PlaceIt*: Residents can pin the location of their feedback on a map of their community
- *Discussions*: Residents can post and respond to comments from other residents or the City
- *Noticeboard*: Residents can post ideas
- *Administrative Tools*: Comment moderation, sentiment analysis, geo-fencing topics

LEGAL REVIEW:

There is no legal review required.

FISCAL IMPACT:

Each of these services are subject to an annual agreement. EngagementHQ and CitizenLab require onboarding fees.

Bang the Table EngagementHQ: \$13,000/yr and \$1,900 onboarding fee

CitizenLab: \$9,500/yr and \$2,400 onboarding fee

PlaceSpeak: \$4,900/yr (for 1 project)

SUMMARY

Staff will provide a demonstration of these platforms and can discuss these tools further to determine how we should proceed.

ATTACHMENTS

There are no attachments with this report.



Introducing EngagementHQ

“Engagement HQ has provided us with a one stop shop for all things citizen engagement. It is easy for both staff and the public to use and the analytics on the back end are outstanding. We use the results generated by the platform to make important decisions.””

Michelle Dwyer
City of Burlington



EngagementHQ is the world's leading online community engagement platform. It helps you build a long-term relationship with your community. One platform lets you inform, engage, measure and build community.

- ✓ Multiple feedback tools serve to engage residents while unique information-sharing tools support efforts to inform and educate.
- ✓ Clients use a full array of videos, documents, image galleries, key dates, lifecycles, and other widgets to educate, build confidence in the process, and drive participation.
- ✓ A theming engine is constructed to assist with engagement through multiple landing page layouts that trigger curiosity, interest, and overall longer participation.
- ✓ Participant management helps you understand who you are hearing from and reach out to target groups.
- ✓ Our easy to use email tool helps you target your community with formatted newsletters.
- ✓ In-depth real time reporting ensures that you can 'listen' effectively and efficiently.

Eight Engagement Tools

EngagementHQ's range of eight engagement tools (shown below) make it easy to marry your online and face-to-face methodologies.

Through its platform approach, you can mix and match the tools you need, and turn them on or off, to best support the engagement process.

Drawing on qualitative and quantitative data at each stage of the project, reporting enables you to measure your project's success criteria.

Selecting the right tool for your engagement is essential if you are going to get the feedback you need.

When thinking about which tools you might want to utilize, you might consider the spectrum below and first decide on the type of engagement environment you are comfortable with.

What you can see in the diagram, are three operating environments: controlled, mixed, and open.

Each environment has a range of tools that are suitable for use on their own or in combination with others as part of a more robust methodology.

Understanding your objectives, negotiables, and the types of information you need will be a key determining factor for your tool selection.

Open environment

Participants can engage with each other. Comments, images and ideas are visible to the community



FORUM

The Forums tool creates a space for discussion, dialogue and debate. People share their experiences with others, ask questions and have conversations in a safe and interactive environment.



IDEAS

Ideas provides "virtual" post it notes for individuals to add their ideas to a collective board. People like the ideas that inspire them most, helping align your priorities with what matters most to the community.



PLACES

Places is a simple way to gather community feedback and ideas directly on a map. Participants drop a "pin" in the area of concern, add photos and then fill in a quick survey.

Mixed environment

Participants can see other participant contributions. However, there is little peer-to-peer interaction. Some data may be visible to the public, other data is just accessible by admin.

Commenting Disabled



STORIES

When we tell or hear a story, neuroscience tells us that we experience things on a higher and more resonant level. Stories helps your community better understand, empathize and relate to others as well as your project goals.

Commenting Enabled

Pre Moderated



GUESTBOOK

Guestbook keeps things simple; people are only able to upload comments, which are moderated to manage what appears publicly. No other interaction is enabled.

Post Moderated



QUESTIONS

Questions is an issues management and communications risk mitigation tool. It is a managed space for your community to ask you questions and for you to respond either publicly or privately.

Answered Privately

Answered Publicly

Controlled environment

Participants cannot engage with each other. Data is stored in the backend and only accessible by admin.



POLLS

Polls encourage people to give a quick answer on one question, selecting from multiple choice answers. They are able to instantly see the Poll results, piquing their interest and giving you real time insight.



SURVEYS

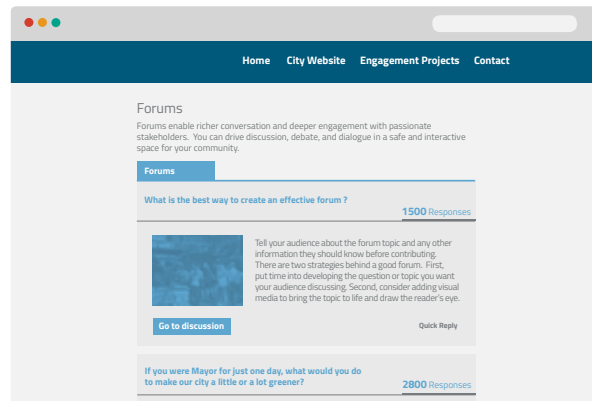
The Surveys tool gives people an opportunity to voice their opinion in a convenient and guided way, which has historically shown higher response rates than other formats.

Explore EngagementHQ Tools

FORUMS

A safe and interactive space for your community to discuss and debate pertinent issues. Multithreaded discussions enable deeper engagement for passionate stakeholders.

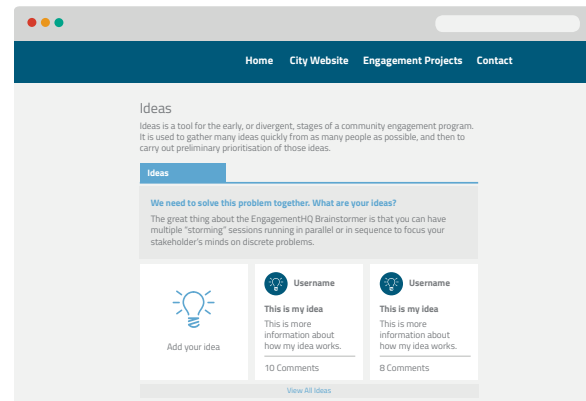
- Include rich media in the introduction
- Unlimited Forums topics per project page
- Unlimited comments per forum topic
- Threaded replies
- Participants can agree and disagree on other people's comments
- Allow participants to start their own forum topics
- Unverified participation
- 24/7 moderation



IDEAS

These “virtual post-it notes” are a way for your community to share what inspires them. Ideas can include images or media for context and participants can like and comment directly.

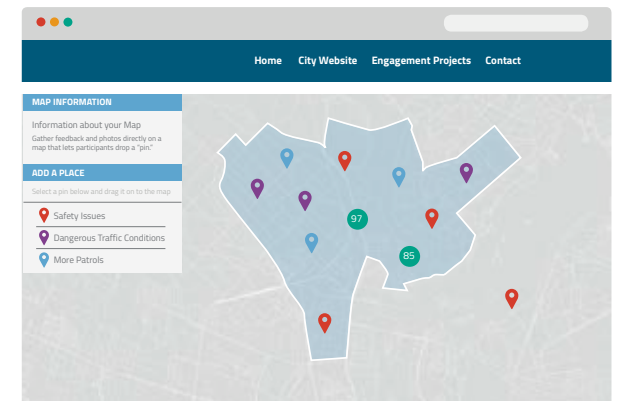
- Include rich media in the introduction
- Unlimited amount of Ideas instances per project, with one ‘featured’ Ideas instance
- Unlimited ideas per instance
- Indefinite or scheduled voting
- Photos and comments with ideas (optional)
- Scheduled publish
- 24/7 moderation



PLACES

Gather feedback and photos directly on a map with a simple “pin” drop. Geospatial maps offer participants a fun way to engage and see their contribution on a map.

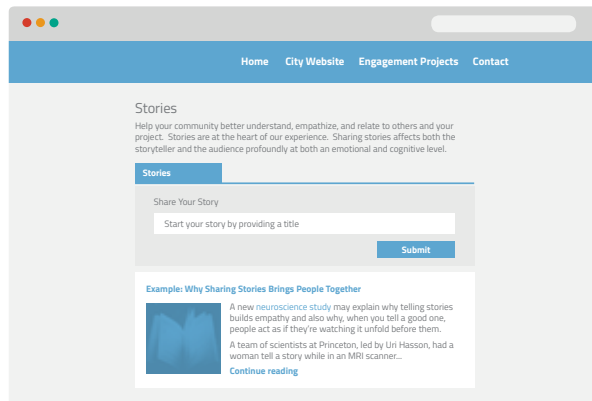
- Include rich media in the introduction
- Unlimited Maps per project page
- Unverified participation
- Unlimited, colored pin categories
- 200+ pin category icons
- 8 different map types
- Simple Shapefile, KML and WMS layer support
- Survey responses, pin comments and pin photos visible to public
- Mandatory or optional survey with each pin
- 24/7 moderation



STORIES

Help your community better understand, empathize, and relate to others and your project. Stories can be interactive and can include images or media to support context.

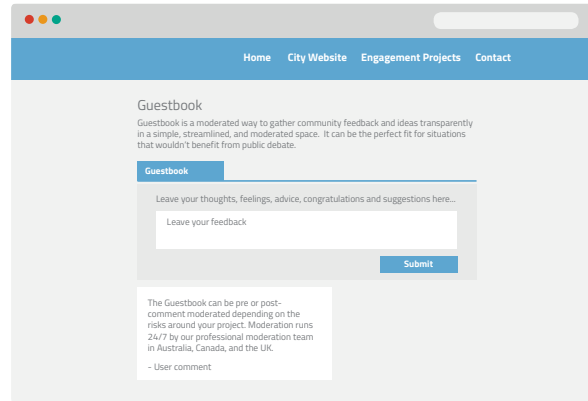
- Include rich media in the introduction
- Text editor for participants
- Comments on stories can be allowed
- Agree/disagree on other comments
- Story teller can turn off commenting on their story if they choose
- PHQ or on-site moderation
- Rich media in introduction and thank you message
- Unverified participation
- Notification to admin that new story



GUESTBOOK

Simple, streamlined, and moderated space for your community to upload comments. Comments are moderated to manage what appears publicly so your engagement stays on topic.

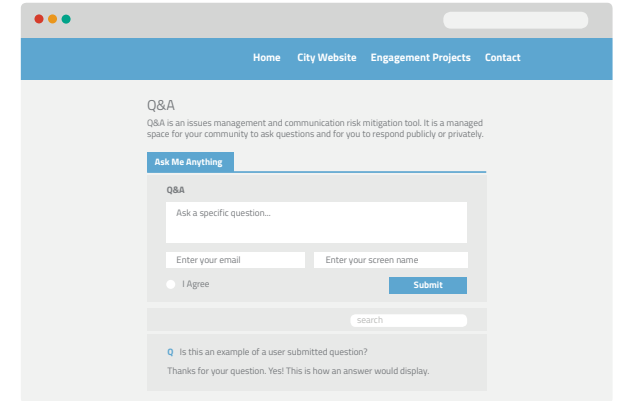
- Include rich media in the introduction
- Unverified participation
- Pre or post moderation (moderation happens before or after the comment in published)
- Send acknowledgement to participant that comment is posted
- Send notification to admin when new comment is added
- Supports paragraph breaks
- Pagination



Q&A

Receive questions in a managed space that accommodates your public or private responses. Q & A is a great way to populate your community FAQs page.

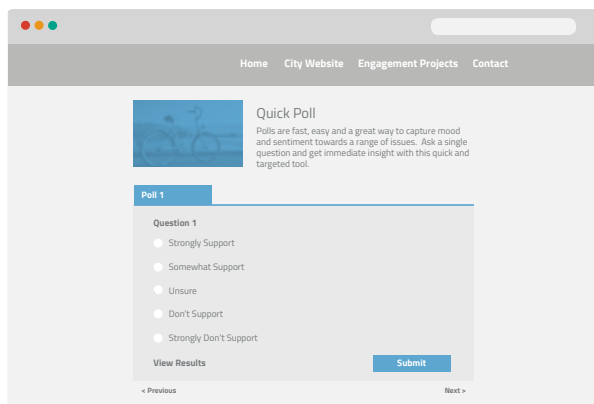
- Include rich media in the introduction
- Respond to questions privately (an email is triggered back to the visitor) or publicly (both question and response appear on the site)
- Unverified Participation
- Send notifications to administrators when new questions are posted
- Send notifications to participant when their questions has a response.



QUICK POLL

Ask a single question and get immediate insight with this quick and targeted tool. Polls are an easy way to activate simple engagement with a single question.

- Multiple Quick Polls on the same project page
- Quick poll as a widget OR a tool
- One vote per user, even if anonymous. Quick Poll responses are cookie based
- Show votes instantly, before or after the visitor has voted
- Unverified Participation

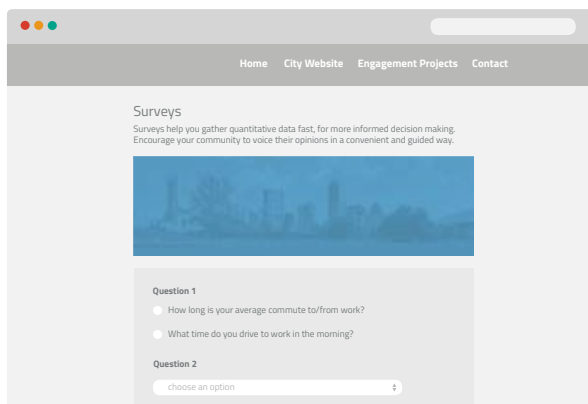


The screenshot shows a web browser window with a navigation bar containing 'Home', 'City Website', 'Engagement Projects', and 'Contact'. The main content area features a 'Quick Poll' section. It includes a title 'Quick Poll', a brief description, and a 'Poll 1' header. Below this is 'Question 1' with five radio button options: 'Strongly Support', 'Somewhat Support', 'Unsure', 'Don't Support', and 'Strongly Don't Support'. At the bottom of the poll form are 'View Results' and 'Submit' buttons. Navigation links for 'Previous' and 'Next' are visible at the very bottom of the page.

SURVEYS

Encourage your community to voice their opinions in a convenient and guided way. Use images to make questions engaging. Tag responses for deeper survey analysis.

- Survey Cloning
- Survey Pining
- Social Sharing
- Multiple Surveys on One Project
- Single or Multiple Submissions
- Printable Surveys for Offline Use
- Question Notes



The screenshot shows a web browser window with a navigation bar containing 'Home', 'City Website', 'Engagement Projects', and 'Contact'. The main content area features a 'Surveys' section. It includes a title 'Surveys', a brief description, and a large image of a city skyline. Below the image is 'Question 1' with two radio button options: 'How long is your average commute to/from work?' and 'What time do you drive to work in the morning?'. Below this is 'Question 2' with a text input field labeled 'choose an option' and a dropdown arrow. Navigation links for 'Previous' and 'Next' are visible at the very bottom of the page.



Inform your Community

EngagementHQ incorporates a range of information tools to support your online learning and engagement objectives. Highlight your key content and information resources to make it easier for your audience to self-educate and explore the issues in depth.

PROJECT NEWS FEED

Used for project news updates to present information about issues, or as a list to link from the homepage through to individual projects.

NEWS CATEGORIES WIDGET

Help your visitors navigate through your news articles by filtering them with your category tags.

WHO'S LISTENING WIDGET

A custom list of key project team members, decision makers, community reference group members, etc. The widget includes the individual's role, organization, email, phone number and image (all optional), along with a link-through to the complete project team page.

PROJECT LIFECYCLE WIDGET

Outline the stages of your project to your community and communicate the progress as you move through each stage.

PHOTO GALLERY & WIDGET

The photo gallery widget displays two custom images from an unlimited capacity image gallery.

VIDEO GALLERY & WIDGET

The video gallery widget displays two custom video stills from an unlimited capacity video gallery.

DOCUMENTS LIBRARY & WIDGET

Displays the key documents from your library as individual items or in folders.

FAQ LIBRARY & WIDGET

Displays a short list of frequently asked questions about your project with a link-through to the FAQ page.

KEY DATES LIBRARY & WIDGET

Displays and promotes the key dates associated with the off-line engagement process, such as public meetings.

IMPORTANT LINKS WIDGET

Displays a list of links that are important to your project.

RELATED PROJECTS WIDGET

Display a list of live or archived projects that are related to the current campaign for easy reference.

SIGNUP BANNER

Enable the signup banner to encourage your community to register and build your participant database.

SOCIAL MEDIA FEEDS

Allows the inclusion of project specific or organizational social media streams.

HTML WIDGET

Allows integration of embedded content from any third-party source.

FOLLOW PROJECT WIDGET

Allows registered and unregistered participants to subscribe to the project.

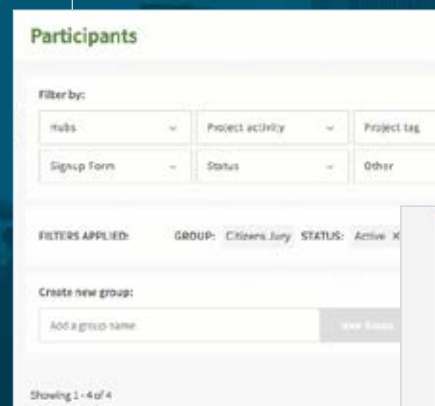
Participant Relationship Management (PRM)

Our Participant Relationship Management (PRM) system is our flagship community-building system. It makes long-term engagement easy by building a strong data and information-driven base through integration with all the EngagementHQ tools, including newsletters, blogging, and social sharing. This ensures that you don't have to rely 100% on project promotion to drive participation and ensures people are kept informed throughout a project's lifecycle to validate participation.

A powerhouse relationship management system, PRM gathers and integrates data and information so that you can better understand and engage with the people who interact with you.

TARGETED COMMUNICATIONS

EngagementHQ has segmentation functionality that allows administrators to target registered participants via email. Targeting can be based on various data points such as prior interest, participation in past projects, demographic information collected during the registration process, and so on. These criteria are then used to create Groups, which are then used to target participants with topic-specific messaging via the newsletter feature.



E-NEWSLETTERS

Syncing with your other EngagementHQ tools and data, our range of newsletter templates give you one easy platform to work from. The designs are simple to work with and include preview and test functions, and audience selection and filtering.



SOCIAL

Social integration makes it easy to connect your social platforms. It provides social log in (to EngagementHQ through Facebook and Twitter), social network integration, simple social sharing of projects, and the ability to embed social feeds into the platform and your project pages.

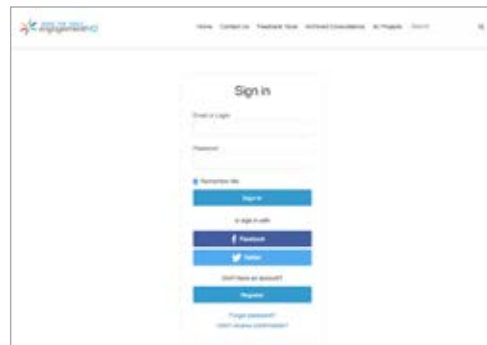
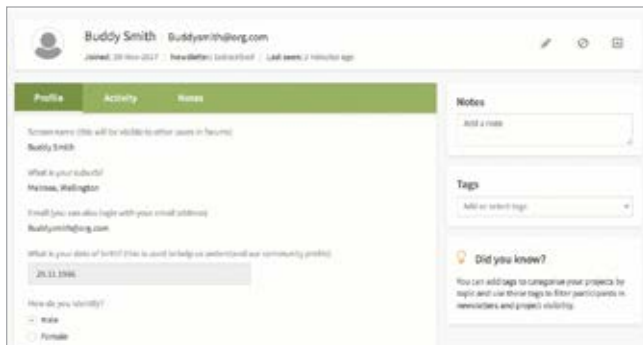
Participant Relationship Management (PRM)

Continued

Participants can create a profile via a registration form configured by you. The only fields required to participate are a participant-defined username, password, and email address. Additional fields can be configured and an unlimited number of properties can be solicited of participants.

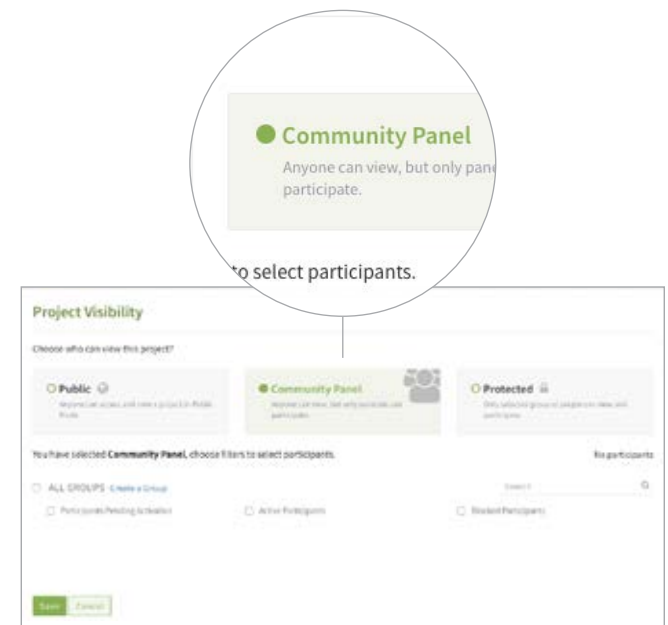
- Our engagement tools allow anonymous and registered participation, as configured by administrators
- User profiles and user passwords are encrypted at rest using bcrypt and a hash; data is also encrypted in transit by applying an SSL certificate

- EngagementHQ will also log available participant information and make it visible in the Participant Relationship Management dashboard, and accessible via the Analytics Reporting tool
- Usernames and email addresses are checked for uniqueness at create and edit points
- When logged in participants can access their profile to update their preferences
- Participants can reset forgotten passwords using the “forgotten or reset password” process, which can be accessed at any time with a valid and verified (by us) email address



Project Visibility Modes

The visibility tool gives your projects three modes of visibility: 'Public' (anyone can see and participate), 'Protected' (participation is by invite only and the project is only visible to participating members), or 'Community Panel' (participation is by invite only, but the project and conversation can be seen by anyone).

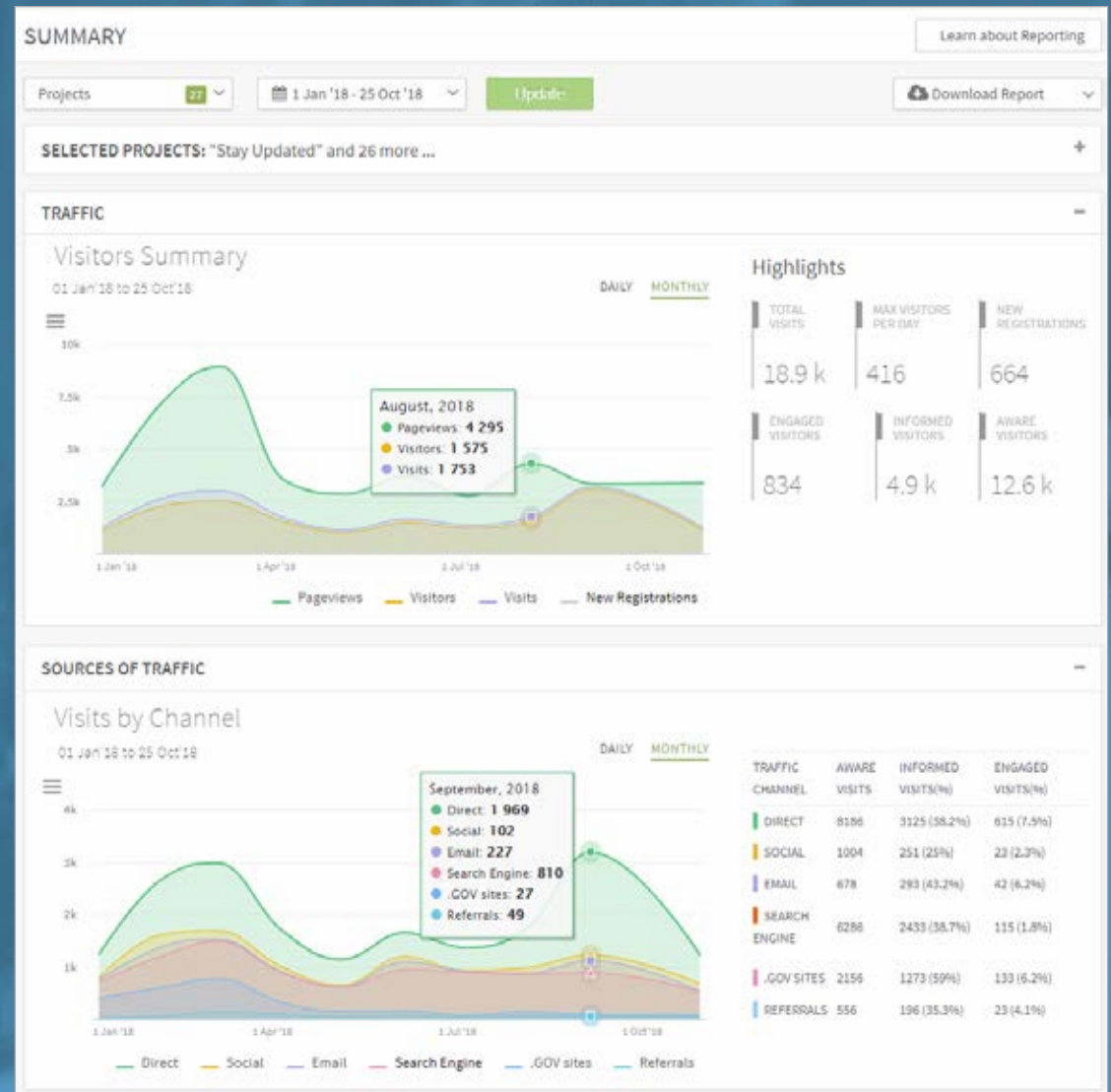


Reporting and Analytics

Get better insights, improve your communications, and make better decisions with on-board analytics.

Our A-I-E framework is designed to make it easy to measure the performance of your project against realistic goals. Automated weekly email reports identify project interest, critical issues, and important community stakeholders. Sophisticated reporting lets you analyze or export the results of single feedback process, an entire project, or your entire project history.

On the next page, you will see more of the types of analytics that are available to you through EngagementHQ.



Reporting and Analytics

Continued

INSIGHTS & DASHBOARDS

Break down your data per question surveyed and showcase the insights visually through pie, bar, and other charts. See all activity across one, select, or all projects. Demographics, site, and project visitation and activity reports, along with all feedback tool reports are available on-screen.

SUMMARIES

The summaries report on-site visitation and participation levels — aware, informed, and engaged — which are available for one, all, or any combination of campaigns for any date range.

DEMOGRAPHICS

Receive reports on the demographic breakdown of your registered participants. This can be cross-tabulated against community feedback.

EXPORTABLE FORMATS

Export all demographic, summary, detailed, and feedback tool reports in PDF, Excel, and CSV formats.

COMMENT ANALYSIS

Comment analysis helps you to understand which issues are important to your community, with keyword tagging of qualitative feedback, including forum comments.

ANALYTICS INTEGRATION

Plug in your Google Analytics code or your preferred analytics package for more detailed reports about your site visitors.

EXPORTABLE CHARTS & BENCHMARKING

Use various formats: PNG, JPEG, PDF, SVG. Compare engagement outcomes between your projects to quickly identify critical issues and improve strategies.

EMAILED REPORTS

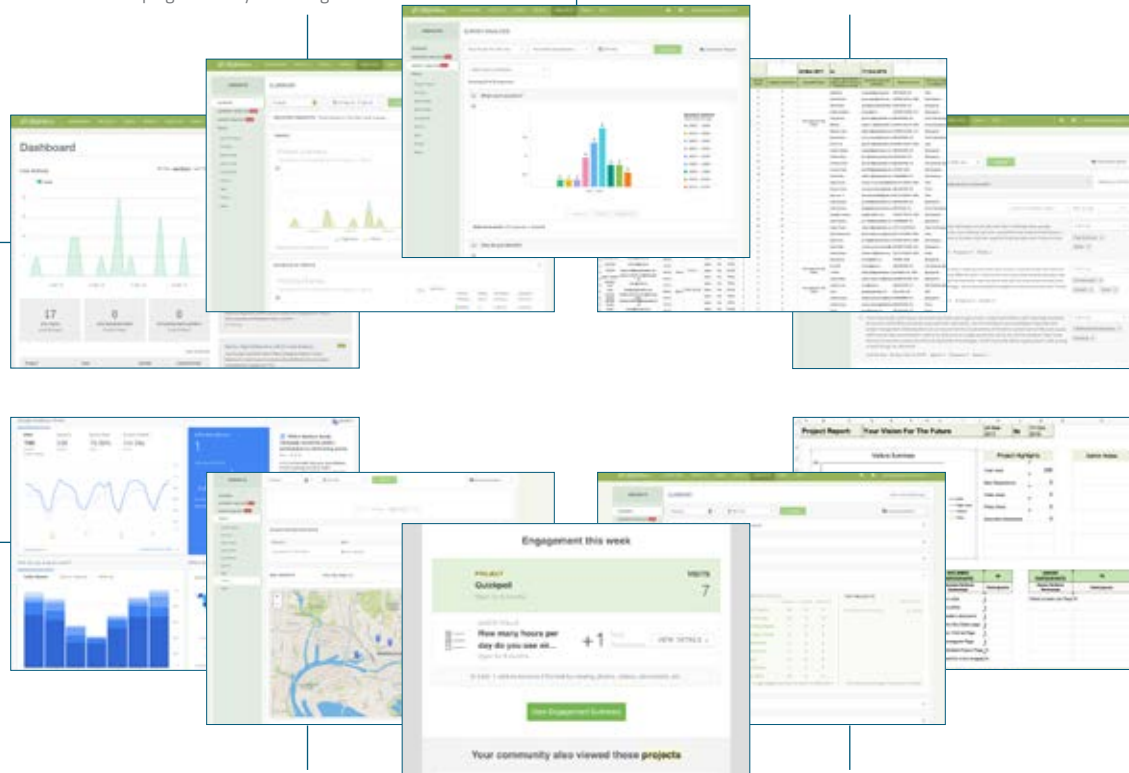
Reports, delivered straight to your inbox, give you real-time insight into what's happening with your project.

A-I-E

Our unique Aware, Informed, Engaged (A-I-E) reporting framework can be used to identify how projects are being received, for example — generating outrage, ambivalence, or excitement.

DETAILED REPORTS

For individual feedback tools, holistic project reports, multi-phased projects or for your entire site, detailed reports provide necessary insight.





Introducing EngagementIQ

“The tool is easy to use for non-programmers like me, and the team at Bang the Table provided not only solid onboarding but also continued support as I built our community’s online public engagement presence.”

Nicole O.Melanson
City of Moncton, NB

Advice, Support, Learning

While most software companies leave you to muddle through, Bang the Table provides everything you need to ensure success in online community engagement.

EngagementIQ is the collective knowledge, skills, and passion of a team of professionals with decades of experience in digital engagement working across four continents. Together our Practice Leads, Engagement Managers, Moderators and Support Managers bring unrivalled expertise to your doorstep.

EngagementIQ includes:

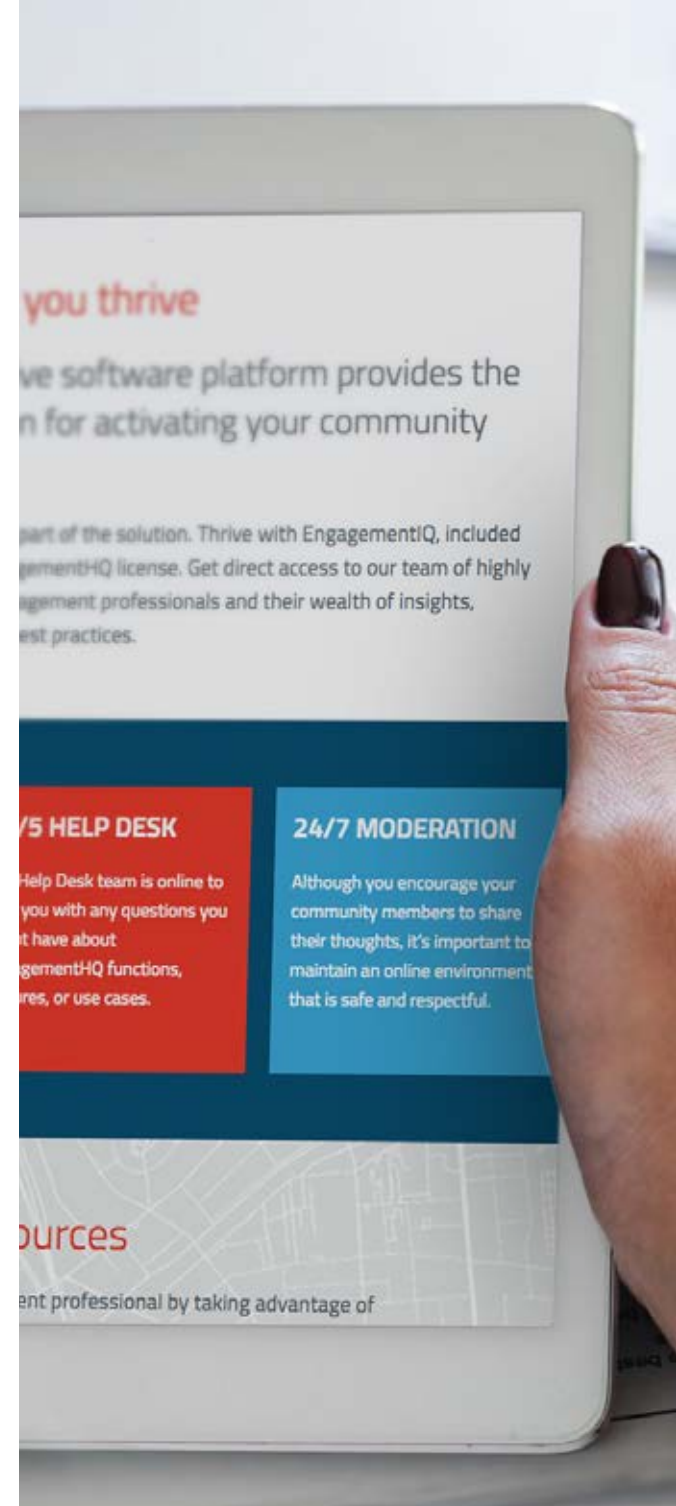
Professional mentoring and account management by our team of experienced Engagement Managers; all of whom have worked for many years in roles beside or within government agencies in engagement, communications and marketing, and public policy.

Continuous learning about leading practice community engagement with our face-to-face training, webinar series, on-demand video, online learning portal, and regular newsletters.

Software training and continuous support, either online or in person, with our Engagement Managers, Learning & Practice Manager, or Client Success team members.

24/5 helpdesk from our incredibly responsive chat and email support team if you ever get stuck, find a bug, or just need some quick advice. With an initial response time of less than three minutes, and an average client satisfaction score of 96%, our helpdesk team sets the benchmark for global online support across all sectors.

24/7 content moderation by our global network of experienced and mature moderators keeps any public-facing conversations safe and on-topic for participants, and protects you from any risks associated with inappropriate content.





**ENGAGEMENT
MANAGER**



PRACTICE LEAD



ONBOARDING



MODERATION



SUPPORT



TRAINING



ADVISORY



CONCIERGE

ENGAGEMENT MANAGER

Your primary contact at Bang the Table.

Every EngagementIQ package includes a dedicated Engagement Manager (EM) as your central point of contact. Your EM will ensure you get the most value from EngagementHQ, helping you work through priorities, set goals and assist with any technical support queries you may have.

PRACTICE LEAD

Add strategic support to any project.

Our team of Practice Leads around the world have years of experience leading engagement projects and developing targeted strategies. They are here to provide tailored coaching and strategic advice to help you consistently produce best-practise digital engagement for your community.

ONBOARDING

Set your organization up for success.

Our onboarding packages help you start off on the right note with rigorous site scoping and planning, online engagement and EngagementHQ platform training as well as quality assurance testing before your site launches.

MODERATION

Protection for you and your community.

Moderation protects you and your community against bullying, heckling, and inappropriate behaviour as well as ensuring that your forums and discussions are on-topic and privacy is protected.

SUPPORT

Available via email, chat and phone.

Utilize our 24/5 support services via chat and email for expert help, project setup, and quick advice. Access our comprehensive help desk library for video tutorials and help articles to support your use of EngagementHQ.

TRAINING

Capacity building for your teams.

Our ongoing training programs will help you develop your team, learn more about EngagementHQ functionality and accelerate your online community engagement skills.

ADVISORY

A range of strategic and coaching services.

Develop a plan for ongoing coaching and mentoring with a Practice Lead, utilize our project planning services for help scoping your next consultation.

CONCIERGE

Get extra help running your projects.

We understand that resources are hard to come by. If your team is looking for someone to build your engagement project or help set up and maintain engagement tools, we can do the work for you.

EngagementHQ Onboarding Process

To help ensure a smooth launch for your new engagement site, our teams follow a defined process with rigorous site scoping and planning, online engagement and EngagementHQ platform training as well as quality assurance testing before your site goes live.

ONBOARDING STRATEGY AND TRAINING

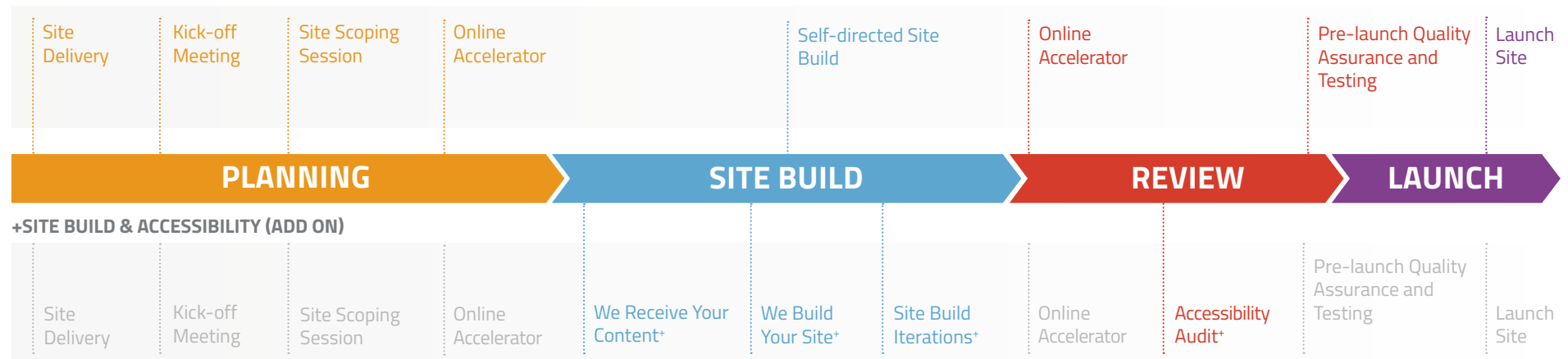
- 30 min **kick-off meeting** with your engagement team to discuss objectives.
- 90 min **site scoping session** for strategy development and best practice advice.
- 2 x 90 min **online accelerators** provide EngagementHQ training for all site admins.
- Regular **progress check-ins and support**.
- Access to online site setup **help desk resources**.
- Pre-launch **quality assurance and testing** session to prepare for project launch.

SITE BUILD AND ACCESSIBILITY (ADD ON)

- **We'll build your site for you** with up to five initial projects. This includes tool setup, managing site settings, mapping your homepage, ensuring accessibility and creating projects based on initial scoping.
- Up to **four site build iterations** are included.
- **Final accessibility report** insures compliance.

A DEFINED PROCESS

STANDARD ONBOARDING PROCESS



Package Options

Our annual support packages are carefully crafted to provide the right mix of support, training and strategic advice. Choose the package option that best fits your needs or mix and match service options for any one of your engagement projects.

1. Bang the Table moderators have natural language in English, French and Spanish. Comments received outside these are moderated using language translation technologies.



CORE
Included

PARTNER
Best Mix

STRATEGIC
Most Support

Engagement Manager	Yes	Yes	Yes
Practice Lead		Yes	Yes
Moderation 24/7	Yes	Yes	Yes
First Response	2 Hrs	2 Hrs	1 Hr
Multi-Language Moderation ¹	Yes	Yes	Yes
Support 24/5 Chat and Email	Yes	Yes	Yes
First Response Chat	15 mins	10 mins	5 mins
First Response Email	2 hrs	2 hrs	1 hr
Access to Help Desk Resources	Yes	Yes	Yes
Invitation to Client Meetups	Yes	Yes	Yes
Quick Phone Support (business hours)	Yes	Yes	Yes
Training			
Regular Webinars and Podcasts	Yes	Yes	Yes
Online Accelerators		2	4
Advisory		Yes	Yes
Annual Coaching Planning Session		Yes	Yes
Annual Coaching Sessions		4	6
Annual Coaching Summary		Yes	Yes
Digital Engagement Project Planning Sessions		2	6
Digital Engagement Site Review and Benchmarking Report		Annual	Annual
Site Review Staff Capacity Survey			Yes
Site Review Community Capacity Survey			Yes

Advisory

Sometimes you need a little help with the heavy lifting. Our EngagementIQ advisory services offer just that, - extra support, strategy or training to help you achieve the best results from your community engagement efforts.

ONLINE COACHING

Work with our Practice Leads to develop your organizational capacity and professional skills. Our coaching service is designed to ensure you have the right advice for delivering best-practise community engagement. Online coaching can be used to help you with organizational buy-in, developing internal processes, reviewing current practices and for learning more about community engagement. Develop a professional learning plan for you and your team and continue to improve your digital engagement capacity.

PROJECT PLANNING

Every successful engagement project starts with a detailed project plan. Going beyond our regular client advice, our team of Practice Leads will help you prepare a fully scoped digital engagement project plan. Starting with project scoping sessions, we'll work with you to define objectives and build a path for execution. We'll identify your audience, scope the project, manage risk and determine the right mix of tools for your project methodology. We'll even help you craft engaging questions to get the right feedback and ensure you are set-up for effective analysis and reporting of your project.

SITE SCOPING SESSION

Map out a comprehensive plan to build your online engagement site. We'll help you decide on the best approach to reach your objective, create an initial site map, and identify your rolling engagement techniques. We'll help ensure you have the necessary brand elements to make your site launch process faster and more impactful.

PREMIUM PROJECT SUPPORT

Need help with staff transitions or filling in capacity gaps with your team? Our premium project support gives you assistance in planning, project creation, site content review, managing your administrator and participant database, as well as premium technical support when you need it most.

DIGITAL ENGAGEMENT SITE REVIEW

Take a deeper look at your engagement practice to identify gaps, opportunities and set benchmarks to measure future performance against. Our team will conduct a detailed review of your engagement site and activities over the last year so you know how to continuously improve results. Our detailed report will include insights about your levels of engagement and site behaviours, tool selection and project execution, closing the loop as well as project evaluation practices. We'll present findings to your executive team so they are informed about successes and can buy-in to your growth plans.

+ STAFF CAPACITY SURVEY

Want to explore your staff's capacity and better understand their digital engagement skills and knowledge? We'll conduct an anonymous survey of key staff and personnel to help you understand the resource constraints or needs to help take your engagement practice to the next level. You'll receive the raw feedback data and an analysis of the survey findings will be added to your site review.

+ COMMUNITY SURVEY

Gain insights from your community to include in your report. We'll facilitate a community survey of a sample of your database, focusing on your most active, average and least active participants. You'll receive the raw feedback data and an analysis of findings will be added to your site review for future consideration.

Training

Practical and hands-on learning experiences for your team. Choose from a range of programs or tailor a training program that meets your specific needs.

GETTING STARTED WITH EngagementHQ

As our most popular session for new users, this program covers the key areas to help you get the most from EngagementHQ. Learn best practice approaches for setting up a project and choosing the right tools; managing participants via the PRM; communicating and promoting your consultations; generating reports and managing site settings.

REPORTING ON YOUR CONSULTATION WITH EngagementHQ

Take an in-depth look at EngagementHQ's inbuilt reporting tool to ensure you are generating the right reports for you consultation. By knowing which reporting features are available you can better plan and execute your next engagement with reporting already in mind.

BUILDING A STRATEGIC APPROACH TO COMMUNITY ENGAGEMENT

This session focuses on the development of a consistent and strategic approach to planning and implementing a successful community engagement project. Take a cohesive look at planning for online engagement and walk away with skills to help you deliver thoughtful online engagement projects.

FACILITATING ONLINE DIALOGUE

Learn how to effectively use dialogue principles to run an effective online forum as part of your next consultation. This session focuses on overcoming risks, understanding and identify different types of dialogue, the importance of moderation the need to have an active facilitator in an online deliberative dialogue space.

TAILORED TRAINING

Let us design a program specifically tailored to your needs. Our team can help you with designing better surveys and facilitating online dialogue, planning for qualitative analysis and best practice reporting on your consultation, strategies for inclusivity and accessibility, managing risk in online engagement and much more.

ONLINE ACCELERATORS

Rapidly increase your knowledge of digital community engagement and the EngagementHQ platform. Delivered via our online webinar software, these sessions go beyond normal group training to provide targeted and personalized online training for your organization, when you need it the most. Sessions are available on-demand and can be tailored to your specific needs.

Concierge

We're here to help get the job done. Whether it's implementation or execution, our team can step in where you need us.

COMMENT TAGGING

Qualitative analysis is a powerful way to report results, but requires some front end work to make it impactful. Our team can help tag your feedback using our comment tagging tool. Simply provide us with your themes and tagging instructions and we'll tag all comments for you in preparation for your qualitative analysis.

SITE BUILD

A perfect option for organizations who need a fast turn around to launch their new EngagementHQ platform. On receipt of your approved content, we'll build your site for you, work with you on iterations and changes and offer a full quality assurance process to make sure you're ready to launch.

PROJECT PAGE BUILD

Want us to put together a project for you? Our project page build service helps you get your projects built and published with ease. Use this service with our project planning sessions and let us help you develop and publish a best practice online consultation.

SURVEY BUILD

Launch your next survey with ease. Our team can help build your digital survey in EngagementHQ, offering suggestions on how best to structure and build your new survey to maximize features in the platform and responses from your community.

ACCESSIBILITY AUDIT

Improve accessibility of your digital project so it feels inclusive for all residents. Our accessibility audit will review your site for missing alt text, correct usage of heading structures, color contrasts and complexity of your project copy to ensure your site is accessible for all audiences.

PRE-LAUNCH QUALITY ASSURANCE AND TESTING

Rigorous testing of your site, engagement tool setup, projects and settings. We'll make suggestions, fix errors and provide you with a checklist report so you have confidence your site is ready to launch.

24/7 Moderation*

Expert moderation protects you and your community against bullying, heckling, and inappropriate behaviour as well as ensuring that your forums and discussions are on-topic and privacy is protected. It is an essential solution for any government department or organization with a legal obligation to protect the right to free speech. The service is designed to protect you and your community. Our moderation policy can be found at the bottom of all client sites. [Read Forum Etiquette and Moderation.](#)

EngagementHQ first filters all posts to remove spam and to look for high-risk language. Comments containing bad language do not appear on the site and are instead routed to a moderator to check if they are permissible. All other content on Ideas, Places, Discussion Forum, and Guestbook tools are reviewed by our expert moderators within 2 hours of posting, 24/7. Comments found to be contrary to the moderation rules are removed with a clear reason being emailed to the participant who posted the comment, giving them the option to repost in a way that does not violate our moderation rules.

You can always access removed content on request, and if you ever disagree with our moderators, you can request to have content reinstated. Thankfully, our moderators remove less than 1% of all content because we have found that timely and independent intervention can prevent a discussion going off the rails.

Posts to the Stories and Q&A tools are moderated by our clients in the administrative interface. For these tools, nothing appears on the site without your team giving it the green light first. Questions to the Q&A tool require an answer, and Stories can contain rich media, which is why we leave moderation of these elements to your team.

24/5 Technical Support

Live chat, in-application support, and helpdesk

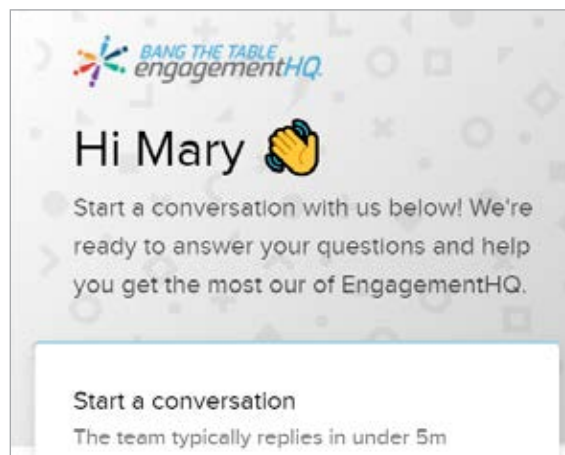
EngagementHQ delivers more than just an online engagement platform. It is serviced by real people who answer the phone and respond to live chats and email. EngagementHQ is also the product of nearly a decade of community best practice, and our knowledge base reflects that. Communicate directly with a human to discuss and identify issues, and to receive updates on process and resolution.

HELPDESK

Our customer experience team can be contacted for user, technical, and practical support.

Email: support@engagementhq.com

Web: helpdesk.bangthetable.com



Account management

Runs parallel with services and support: You can call or email the assigned project manager or client manager during regular business hours (EST and PST), and either email or submit a trouble ticket to the helpdesk all other hours of the day. An account management strategy is generally defined by client needs. Bang the Table provides a software platform to support online engagement, and therefore our responsibility is to the efficient use and performance of the platform.

Feature updates management

EngagementHQ is a web-based software platform offered by Bang the Table as a Software as a Subscription (SaaS). The platform receives regular and continuous updates using our SaaS DLC which features zero downtime and agile deployment processes. We have robust automated testing, build process, and application monitoring in place to ensure high-quality and successful deployments of regular feature/functionality. Change management processes are facilitated by using feature toggles to control significant feature releases to coincide with appropriate communication and training.

* English and French 24/7, Spanish 24/5.

User Community, Social Media, and Online Support

Bang the Table supports approximately:

6,500+

**engagement professionals
on LinkedIn**

47,000+

**active subscribers on
our mailing list**

450+

**communities & businesses
on our client list**

3.9 million+

**engagements with online
users over the past 10 years**

Our experience is built on shared knowledge of best practices and insights among Bang the Table and our clients, professional networks, and communities, all interested in fostering stronger public engagement.

Their willingness to share, be challenged, and experiment has afforded Bang the Table the luxury of leading the online engagement industry for nearly a decade.

Design Options and Website Integration

“We love this product because it is easy to use, flexible and responsive, and it provides a wide range of tools for feedback, discussion, and analysis.”

Geoff Wilson, MPA

Public Engagement & Community Health Board Support
Nova Scotia Health Authority



Theme Selection

EngagementHQ can be structured and branded to support your corporate identity.

Website design, information architecture, and visual branding are all critical elements of your community's online experience. With EngagementHQ you can brand your site to match your corporate look and feel. Custom theme options can be created to comply with local policy requirements. We also have an API that lets you integrate EngagementHQ with your internal systems, websites, and apps.

CLEAN SKIN DELIVERY

EngagementHQ is delivered as an 'unbranded' website. You choose your colors, add your corporate logo, header banners, and any images.

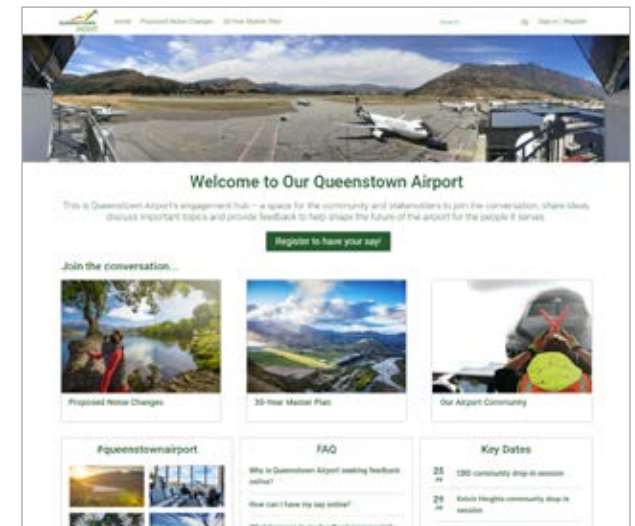
HOMEPAGE TEMPLATES

EngagementHQ comes with the choice of five homepage layouts (see four examples at right) suitable for different organizational needs straight out-of-the-box.

HOMEPAGE TEMPLATE EXAMPLES



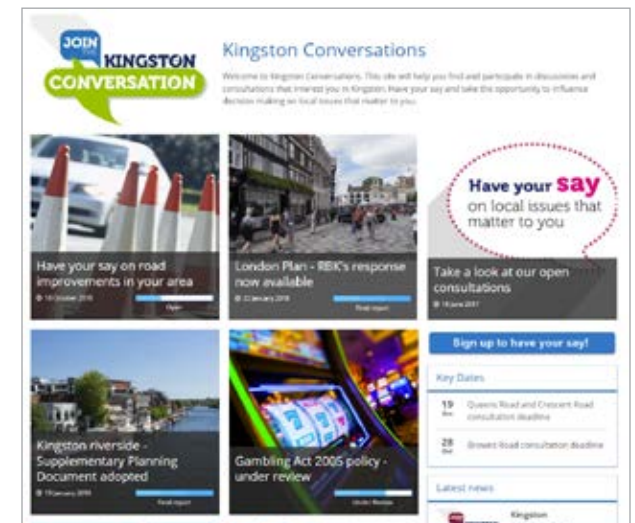
Whitehaven



Bondi



Torquay



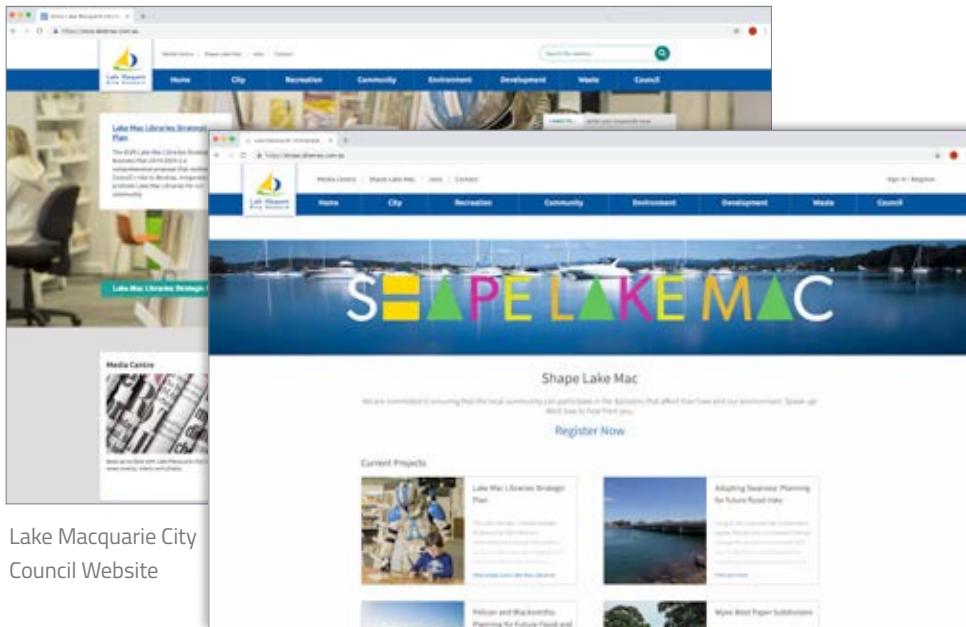
Coral Bay

Brand Integration

Integrated navigation: With a little extra work, EngagementHQ can be integrated with your corporate website. The header, footer, fonts, colours, and other design elements can be configured to create a seamless experience. This requires additional development work and a consultation process with the product manager. This branding is then applied to all additional projects.

CUSTOM THEME OPTIONS

If you're after something completely unique, we can either take your designs or work with you to develop a brand new look and feel for your EngagementHQ site.



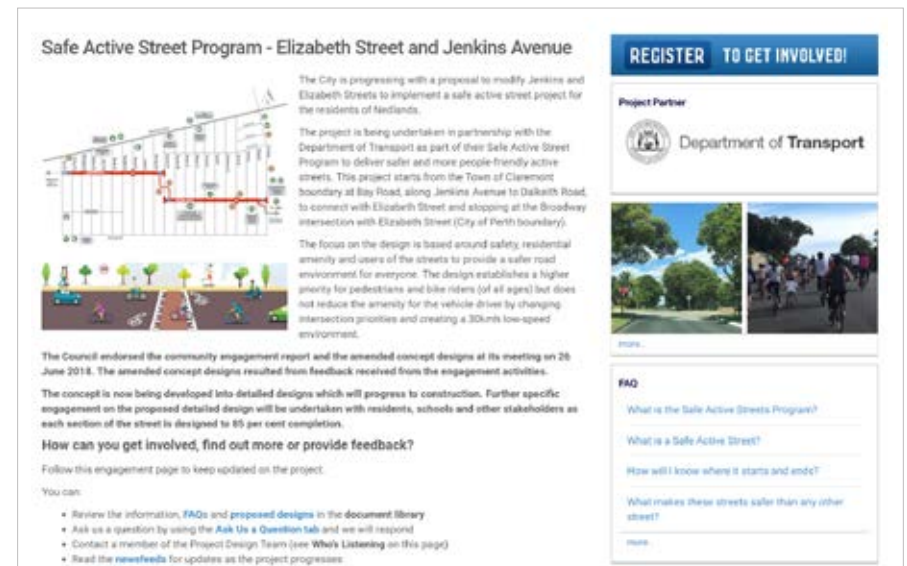
Lake Macquarie City Council Website

Lake Macquarie City Council Engagement HQ SITE

Project Page Layouts

Project pages are designed to be the one stop shop for all of your ongoing conversations. The layout allows your team to educate your community through the built-in content management system and educational tools, while also collecting their feedback. Project pages can handle rich media embedded, including videos and photos, making it easy to educate your different audiences. Tools are turned on or off with single-click functionality, and the content management system will walk you through the creation of new project spaces.

Flexible page layouts: Each EngagementHQ project page can be structured to meet your specific project needs with the choice of multiple engagement tools and information widgets.





Technical Specifications

Security and Privacy

Bang the Table takes the protection of your information and the information of your community extremely seriously. We have made a commitment to comply with the standards of all jurisdictions in which we do business.

We have outlined some of the measures that are a result of this commitment to information security. As always, we are happy to provide further detail when requested.

Compliance

ISO 27001

Our information security management system (ISMS) which underpins all of our operations has been successfully certified to ISO 27001:2013, the global standard for information security management.

GDPR

The European Union's General Data Protection Regulation (GDPR) protects European Union data subjects' fundamental right to privacy and the protection of personal data. It introduces robust requirements that will raise standards for data protection, security, and compliance.

Security

We go to great lengths to protect the data we store for you.

APPLICATION

Our applications are continually monitored and tested for security weaknesses by our Engineering team. We perform regular and ongoing internal application security assessments to discover and mitigate potential weaknesses based on OWASP rating and methodology. We use automated tools as well as manual testing processes to make sure we are as secure as possible all of the time.

The operating systems and databases running our servers are continually monitored and patched with the latest security fixes by Rackspace. The web framework is continually monitored and patched by our internal development teams.

An independent third party carries out comprehensive Vulnerability Assessment and Penetration Testing (VAPT) of EngagementHQ once a quarter. Results of the latest VAPT are available upon request.



DATA

We have strict data access rules in place with detailed logging to prevent theft and misuse. Access is limited to key personnel involved in maintaining our services and support. Interaction with client data is only at the request of the client.

EngagementHQ provides role-based access controls with unique usernames and one-way password encryption to help clients manage their own logins. SSL certificates and Single Sign On integration are available for further protection.

Data is stored within a mySQL database on AWS RDS with attachments stored within AWS S3. Amazon RDS has multiple features that enhance reliability for critical production databases, including automated backups, DB snapshots, automatic host replacement, and Multi-AZ deployments.

NETWORK

Our application is hosted on the large, Internet-scale, world-class infrastructure that benefits from the same engineering expertise that has built Amazon into the world's largest online retailer. AWS's networks are multi-homed across a number of providers to achieve Internet access diversity.

The AWS network uses proprietary mitigation techniques providing significant protection against traditional security issues such as Distributed Denial of Service (DDoS) Attacks, Man in the Middle (MITM) Attacks, IP Spoofing, Port Scanning, etc.

Additionally, our inbound firewalls are configured to permit only the absolute minimum connectivity required to provide the service to our clients. Any changes to the access rules require authorization.

Privacy

Bang the Table makes no use of the personal information provided by your community. This is your data and we will only access this information to render assistance as part of a support ticket. We log and audit all such access.

Hosting

INFRASTRUCTURE

Your EngagementHQ site is hosted on Amazon Web Services (AWS) infrastructure within your jurisdiction as below:

Country	Hosting Location
Australia	AWS, Asia Pacific (Sydney)
Canada	AWS, Canada (Central)
United Kingdom	AWS, EU (London)
United States of America	AWS, US West (Northern California)

AWS is the leading cloud services provider in the world. Their suite of products and services, security controls, scalability, reliability, astonishing number of datacenters, flexibility and continued innovation make them the absolute best choice for hosting in the cloud.

AWS cloud infrastructure meets the requirements of an extensive list of global security standards, including ISO 27001 and SOC. See the AWS Compliance page at aws.amazon.com/compliance for more information.

MANAGED SERVICES

We have contracted Rackspace to manage our hosting environment 24x7. They provide us with operational and strategic support to ensure our systems are best-in-class, secure and available at all times.

Like AWS, Rackspace are a global company certified for a wide range of international security standards confirming their operations are safe and trustworthy, see www.rackspace.com/certifications.

AVAILABILITY AND DISASTER RECOVERY

We guarantee 99.75% availability and our uptimes have historically remained above “three 9s” (99.9%). Our guarantee is backed by our SLAs.

Even though we take all conceivable measures to ensure our service to you is uninterrupted, as with life, major events completely beyond our control can interrupt our service. We take nightly backups and have a well-tested recovery plan in place to minimize potential disruption from major events.

Our Disaster Recovery plan is tested annually or when there is a major change in our environment, either to our infrastructure or application. Lessons learned from these tests are incorporated back into the plan.

Accessibility

EngagementHQ is compliant with version 2.0 of the Web Content Accessibility Guidelines (WCAG 2.0) to Level AA standards.

An independent third party carries out a comprehensive Accessibility audit of EngagementHQ once a quarter. Results of the latest audit are available upon request.

While the guidelines set out in WCAG 2.0 recognize that it is not possible to conform for some types of content, we have undertaken a commitment to continually work on this and leverage new technology to further improve accessibility.

We do this by keeping up to date with the latest advances in accessibility techniques and acting on recommendations from the quarterly audits. We also treat any issues identified by clients or participants as a matter of urgency and remain responsive to address the issues.

Upgrade Options

Choose from a range of existing Email Marketing and Customer Relationship Management integrations to embed EngagementHQ seamlessly into your organization’s workflows and processes.

Looking for an integration we don’t offer yet? We can build that out for you, too. Using our comprehensive API, we can help you establish integrations into almost all other software.

WORKFORCE SINGLE SIGN-ON (SSO)

A session and user authentication service that permits a user to use one set of login credentials (e.g., name and password) to access multiple applications.

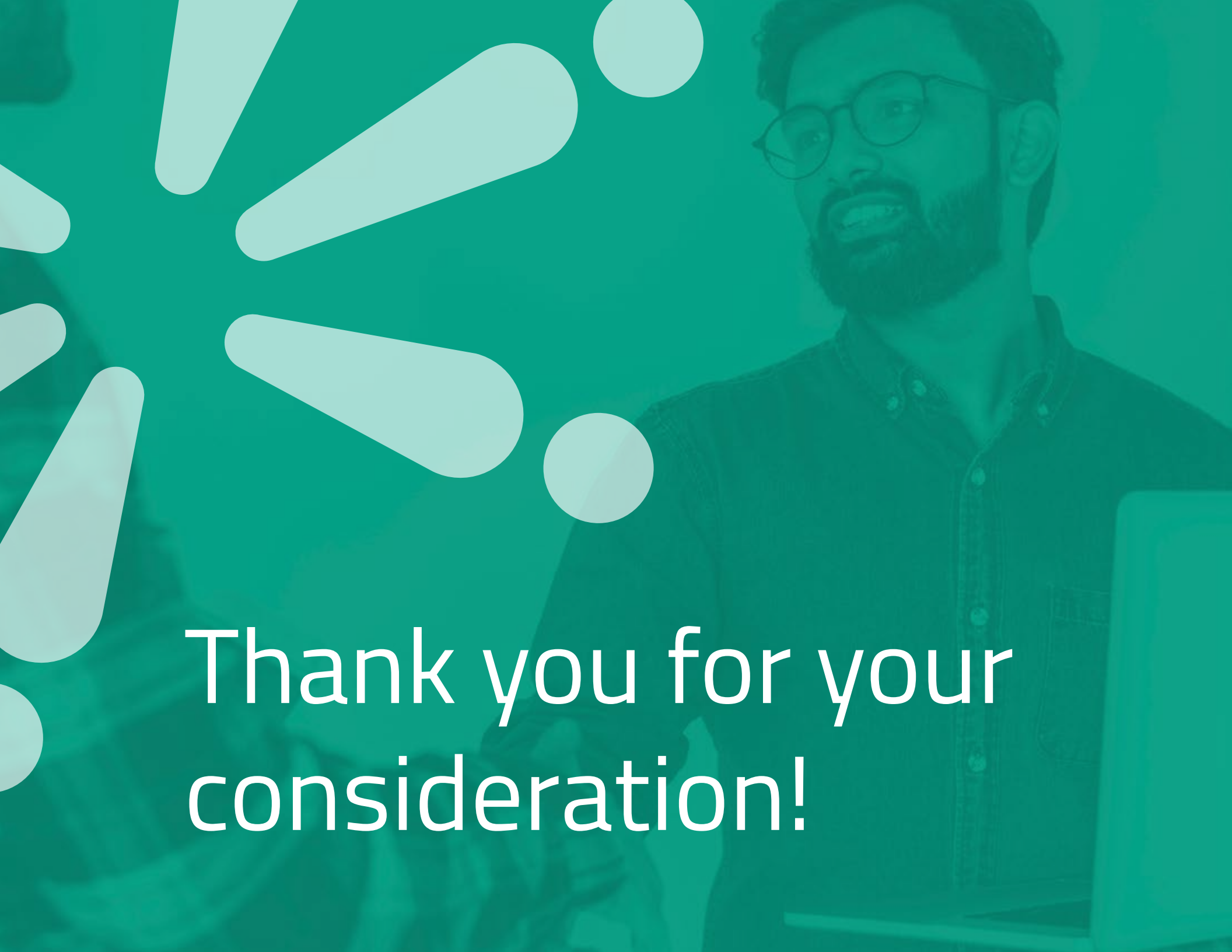
Device compatibility

EngagementHQ is designed for small and large screen sizes, providing an accessible and full functionality experience for the community from mobile phones, tablets, and desktop devices.

EngagementHQ supports the full range of major browsers including:

- Microsoft Edge and Internet Explorer (IE) 11
- Chrome 40 and above
- Firefox 35 and above
- Safari 7 and above





Thank you for your
consideration!

DATE: February 4, 2021

TO: Tom Markus, City Manager

FROM: Alexandria Bingham, City Clerk

SUBJECT: Workshop Protocol

INTRODUCTION:

The City Commission has expressed the need to take the necessary time to have deeper discussions and learn more about certain topics. Often regular City Commission meetings are packed with content and don't always provide for enough time to review all the details and investigate all the possible concerns on a certain topic. Creating time for workshops will allow the City Commission to obtain more information and insight on important issues that can help with future decision making.

BACKGROUND:

At the January 25, 2021 regular City Commission Meeting a resolution was passed to direct the City Clerk to work with staff to prepare for suggested workshops, direct the City Clerk to maintain a list of desired workshops, and to direct the City Clerk to coordinate with the City Commission, City Manager and City Staff to schedule and notice future workshops as needed. During the discussion at the January 25th meeting several concerns were identified including the sequence of upcoming topics, structure and time management of the workshops and procedures to guide the workshops in a smoother and more purposeful manner.

It was determined that reserving time for workshops will allow the City Commission to take the necessary time to learn, explore and gain insight on important topics before making decisions in the best interest of the City.

WORKSHOP PURPOSE

- Workshops are for seeking deeper levels of understanding in order to make informed decisions. While discussion should be encouraged, debate and advocacy should be discouraged in this forum.

WORKSHOP ROUTINES

- The Mayor will open the workshop meeting.
- The City Manager will give an overview of the workshop. This may include introducing the topic, objectives and pacing, as well as reminders of expected conduct as needed.
- City Staff and Guest Speakers will prepare and present a series of short informative modules throughout the workshop framed around the big questions on the topic for the City Commission to explore.
- After each informative module the City Commission will have time to discuss the essential question or big idea for the topic at hand.

- The Mayor will call for public comment at the end of the workshop to make sure the City Commission has as much time as possible throughout the workshop to learn, explore, discuss and hear the publics' thoughts as well.
- The workshop must end on time or hopefully a few minutes early to allow for a quick break as the regular City Commission Meeting must start on time.

WORKSHOP CONDUCT

- Start on time and end on time.
- Cell phones must be on mute, no outside or behind the scenes communication on the content is permitted.
- Stay focused on the topic or question at hand.
- Actively listen and participate in discussion.
- Attack the issue, not the person.
- Maintain an open and positive mindset, explore multiple perspectives, and discuss potential outcomes.
- Workshops are not a place to argue or set policy. Formal decisions can only be made at the regular City Commission meeting, not during a workshop.
- Public comment is to be heard, not responded to.

LEGAL REVIEW:

- None.

FISCAL IMPACT:

Fiscal impact is unknown at this time, it is possible that some of the sessions may require fees for trainers and facilitators on special topics.

SUMMARY

- Establishing workshop conduct and routines will allow for more purposeful and productive workshops. The proposed workshop routines and conduct can and will evolve as we continue to practice and get better at using workshops as a tool for learning and advancing our discussion and decision making process.

ATTACHMENTS:

- None.

SUGGESTED RESOLUTION:

- To adopt the suggested workshop routines and conduct.



NOTICE OF INTENTION TO APPOINT TO THE PARKS & RECREATION BOARD

At the regular meeting of Monday, March 22, 2021, the Birmingham City Commission intends to appoint three regular members to the Parks and Recreation Board to serve the remainder of a three-year term to expire March 13, 2024.

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, March 17, 2021. These applications 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 the appointments.

Responsibilities

The Parks & Recreation Board consists of seven members and two alternate members who serve for three-year terms without compensation. The goal of the board is to promote a recreation program and a park development program for the City of Birmingham. The Board shall recommend to the City Commission for adoption such rules and regulations pertaining to the conduct and use of parks and public grounds as are necessary to administer the same and to protect public property and the safety, health, morals, and welfare of the public.

The meetings are held the first Tuesday of the month at 6:30 P.M.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Members must be electors (registered voters) of the City of Birmingham.	3/17/2021	3/22/2021

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.



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

At the regular meeting of Monday, March 22, 2021, the Birmingham City Commission intends to appoint two regular members to the Multi-Modal Transportation Board to serve three year terms that will expire March 24, 2024, and one alternate member to serve the remainder of a three-year term to expire October 27, 2022.

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, March 17, 2021. 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.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
In so far as possible, members shall represent pedestrian advocacy, mobility or vision impairment, traffic-focused education/experience, bicycle advocacy, urban planning, architecture or design education/experience, or different geographical areas of Birmingham. Members may or may not be electors (registered voter) or property owners of the City of Birmingham.	3/17/2021	3/22/2021

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.



NOTICE OF INTENTION TO APPOINT TO PLANNING BOARD

At the regular meeting of Monday, March 22, 2021, the Birmingham City Commission intends to appoint three regular members to the Planning Board to serve three year terms to expire March 28, 2024. One of these three members must be a building owner in the Central Business or Shain Park Historic District.

Members must consist of an architect duly registered in this state, a building owner in the Central Business or Shain Park Historic District, and the remaining members shall represent, insofar as possible, different occupations and professions such as, but not limited to, the legal profession, the financial or real estate professions, and the planning or design professions. Members must be residents of the City of Birmingham.

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, March 17, 2021. These applications 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 the appointments.

PLANNING BOARD DUTIES

The Planning Board consists of seven regular and two alternate members who serve three-year terms without compensation. The board meets at 7:30 P.M. on the second and fourth Wednesdays of each month to hear design reviews, zoning ordinance text amendments and any other matters which bear relation to the physical development or growth of the city.

Specifically, the duties of the Planning Board are as follows:

1. Long range planning
2. Zoning ordinance amendments
3. Recommend action to the city commission regarding special land use permits.
4. Site plan/design review for non-historic properties
5. Joint site plan/design review for non-residential historic properties
6. Rezoning requests.
7. Soil filling permit requests
8. Requests for opening, closing or altering a street or alley

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Building owner in central business or Shain Park Historic district. Attorney. Other members shall represent, insofar as possible, different occupations and professions such as, but not limited to, the legal profession, the financial or real estate professions, and the planning or design professions. Resident of the City of Birmingham.	3/17/2021	3/22/2021



NOTICE OF INTENTION TO APPOINT TO THE CABLECASTING BOARD

At the regular meeting of Monday, March 22, 2021, the Birmingham City Commission intends to appoint two members to the Cablecasting Board to serve three-year terms expiring March 30, 2024. Applicants must be residents of the City of Birmingham.

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, March 17, 2021. These applications 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 the appointments.

Duties of the Cablecasting Board

- 1) Advise the municipalities on matters relating to cable communications;
- 2) Monitor the franchisee's compliance with the franchise agreement and the cable communications ordinance;
- 3) Conduct performance reviews as outlined in Chapter 30, Article VII of the city code;
- 4) Act as liaison between the franchisee and the public; hear complaints from the public and seek their resolution from the franchisee;
- 5) Advise the various municipalities on rate adjustments and services according to the procedure outlined in Chapter 30; Article VI
- 6) Advise the municipalities on renewal, extension or termination of a franchise;
- 7) Appropriate those moneys deposited in an account in the name of the Cablecasting Board by the member communities;
- 8) Oversee the operation of the education, governmental and public access channels;
- 9) Apprise the municipalities of new developments in cable communications technology;
- 10) Hear and decide all matters or requests by the operator (Comcast Cablevision);
- 11) Hear and make recommendations to the municipalities of any request of the operator for modification of the franchise requirement as to channel capacity and addressable converters or maintenance of the security fund;
- 12) Hear and decide all matters in the franchise agreement which would require the operator to expend moneys up to fifty thousand dollars;
- 13) Enter into contracts as authorized by resolutions of the member municipalities;
- 14) Administer contracts entered into by the Board and terminate such contracts.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Member must be resident of the City of Birmingham.	3/17/2021	3/22/2021

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.



CITY MANAGER'S REPORT

February 2021

Baldwin Public Library

The Baldwin Public Library Board is currently [accepting applications](#) for a vacant Board seat after the resignation of Bob Tera. While the Library remains [closed](#) to the public, [Curbside Pickup](#) is available seven days per week and [virtual programs](#) for all ages are available. The Library continues to offer a plethora of [online services](#), including digital books, audiobooks, magazines, music, and movies.

The Birmingham Museum

The RFP for the Allen House's Historic Window Restoration Project has been posted. We hope to have a contract ready for the Commission to review at their March 22 meeting, with an anticipation of work beginning in April. The Heritage Zone landscape improvement project RFP will be posted in early February with a contract ready for review by the Commission some time in April.

In recognition of Black History Month, the museum will be releasing more extensive information on the story of George and Eliza Taylor, the first African American property owners in Birmingham. The Taylors were formerly enslaved people buried in Greenwood Cemetery in 1901 and 1902 whose story was forgotten. The museum will be sharing recent research into the Taylors and their connections to nearby African American families to provide a better understanding of local black history.

Birmingham Shopping District

The Birmingham Shopping District's annual Birmingham Restaurant Week promotion just concluded. This year, as an added incentive, diners were able to earn \$25 in Birmingham Bucks for each \$50 spent at a BSD restaurant. This encourages individuals to come back into the city to shop. Another way the BSD is offering assistance to local businesses during these difficult times is by distributing PPE. And, the search for a new executive director of the BSD is ongoing.

Building Department

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. The update also provides department news and team updates.

Clerk's Office

Greenwood Cemetery

Data Entry for GIS Mapping

The Clerk's Office and Museum Staff started training on a GIS mapping data entry project with City Planner Brooks Cowan the second week of January. Clerk's office staff are in the process of organizing all of our cross referencing data sources to confirm records before entering them into the database.

This will be a very intense and time consuming project for the Clerk's office and Museum staff and will likely take several months.

Ground Penetrating Radar (GPR)

The Clerk's Office needs more time to gather research and information before bringing this issue back to GCAB for further consideration and direction.

March is Cemetery Cleanup Month!

Creative Collaborations coordinates time with the City of Birmingham's DPS staff to clean up all grave blankets and Christmas decorations that will get picked up along with any other debris.

April & May

Creative Collaborations and the City of Birmingham's DPS staff schedule time with respect to the weather to top dress, seed or reseed and complete an additional cleanup in the spring.

Markers and memorials can start being delivered and installed on April 1st.

Creative Collaborations and the City of Birmingham's DPS staff schedule the regular spring fertilization.

Turf Improvement

Cheri Arcome of Creative Collaborations suggested and has been working closely with the City of Birmingham's Department of Public Services to improve the turf on cemetery grounds beyond the regularly scheduled maintenance and fertilizations.

Liquor License Renewals

Letters were sent out for liquor license renewals on December 15th and the Clerk's Office received 28 applications back for renewals. The applications have been processed. All other departments have done their necessary inspections and are working on their reports for the February 22, 2021 City Commission Meeting. Postcards to applicants will be sent out next week notifying them of the city commission meeting date and time.

All other Annual Licenses

Most of the annual licenses were due on January 31, 2021. The licenses have been processed and are awaiting their approvals from each department. Any late applications will be charged a 50% penalty. Outdoor dining licenses were sent out at the end of January and are due at the end of February. We are currently waiting for outdoor dining applications to be returned. Annual refuse collection licenses will be sent letters in early April.

Special Events

Five special event applications were submitted in January. Four of the applications have been processed and have set City Commission meeting dates. One is changing the location due to a wedding conflict and we are waiting for their final application.

Pet License

Pet license renewal post cards are being sent out at the beginning of each month now and have shown to be very effective. The Clerk's office has been receiving many pet license renewal applications in the mail and online. We are working on updating our postcards to have the pet license website link for online renewals.

Birmingham Government Day Video

The city's annual Celebrate Birmingham Hometown Parade is a beloved tradition that regularly occurs in May. The celebration serves in part to recognize residents who give their time and talents as members of city boards and commissions. In light of the current statistics and progression of the COVID-19 pandemic, the in-person gathering of the celebration is cancelled. The City still wishes to show gratitude for its volunteers and has an alternative way to celebrate Birmingham. The City Clerk's Office would like to celebrate our board members in a safe way with an appreciation video that includes each board/commission's accomplishments and photos of members with a scheduled release date of May 16, 2021. We encourage everyone to view the appreciation video on our website: www.bhamgov.org/parade.

Department of Public Services

An [update from the Department of Public Services](#) provides information about: Birmingham Tree Manual and Standards of Practice, a grant from the Michigan Department of Natural Resources, Tree City USA application, a water level sensor at the far northern end of the Linden Park trail, and the 2020 Annual Golf Report.

Engineering Department

The recently completed Maple Road Reconstruction project has won an award from the [Michigan Concrete Association](#). Special thanks to the businesses in the work area for their patience during construction of this project, which can now be enjoyed by their patrons for many years to come.

Finance Department

Assessing

Assessing notices for 2021 will be mailed later this month. The notices will have information concerning the March Board of Review dates and times. This year the Board of Review will meet virtually.

Treasury

Winter taxes are due on February 16th. After that date, winter taxes will be subject to a penalty and collected until March 1st.

Finance

City Manager will meet with department heads concerning their fiscal year 2021-2022 budget requests and planning amounts for fiscal year 2022-2023 and 2023-2024.

Finance Director Gerber will be out most of the month on medical leave. Please contact Assistant Finance Director Kim Wickenheiser for questions.

Fire Department

In the month of February, half of the Fire Department's Paramedics will complete their bi-annual Advanced Cardiac Life Support (ACLS) recertification. Chief Wells, Assistant Chief Bartalino, and Fire Marshal Pesha are also certified Paramedics and will be ACLS re-certified.

The Fire Department will continue to apply for various CARES act and Public Assistance grants related to COVID-19. Chief Wells will continue to work with the County on acquiring the COVID vaccine in hopes of vaccinating the City's residents.

Information Technology

The IT department is working with the communications department to review the recording and streaming of boards.

Up to this point the meetings that we have been streaming were being recorded and broadcast on BACTV and are as follows:

Advisory Parking Committee
Multi Modal Transportation Board
Board of Zoning Appeals
Parks and Recreation Board
City Commission
Planning Board

We are adding the HDC / DRB meetings as requested to our streaming service.

Manager's Office

Human Resources

A [memo from Interim Human Resources Director/Assistant City Manager Jim Hock](#) summarizes the City's existing and expired COVID relief initiatives. An agenda item will be prepared for the March 8, 2021 Commission meeting with the Parking Committee's recommendation regarding parking structure fees, along with staff recommendations on continuation of any other COVID relief actions that have expired or are set to expire at the end of March.

Communications

The Communications team is reviewing survey results regarding the City's website. An RFP for hosting and web design services will be placed on MITN within the next month. The team is also working on articles for the spring edition of the print newsletter.

Beier Howlett

The City received a [letter from Beier Howlett](#) dated January 27, 2021 regarding the transition of legal work performed for the City of Birmingham. Effective immediately, the City's designated attorney is Mary M. Kucharek.

Planning Department

Wall Art in Birmingham - The City of Birmingham does not currently allow murals to be painted on buildings. Murals are considered "signage" and the sign ordinance prohibits signage from being painted directly on to buildings. The Public Arts Board has indicated a desire for the City to allow murals to be painted on to buildings. Following an inquiry from Griffin Claw in 2020, the Design Review Board (DRB) has also considered changes to the zoning and sign ordinance in order to permit murals. One of Public Art Board's recommendations in their Terminating Vista report in August 2020 was to amend City policy so that murals are allowed.

Both the Public Arts Board and the Design Review Board were amenable to an application process where both Boards review the proposed mural design. The Design Review Board discussed limiting murals to certain geographic areas of the City. There seemed to be general consensus from both Boards that The Rail District and vias of Birmingham could be ideal locations. Frontages of buildings were not recommended to be eligible for murals.

In order to eliminate the gray area of signage vs. artistic design, the Public Arts Board has proposed an application and review process that begins with the Public Arts Board and is then finalized by the Design Review Board. An application would be required to include the location and size of the mural, rendering of proposed art, artistic medium, a staging plan and timeline for the work. The Public Arts Board would review the application and make a recommendation to the DRB. The DRB would then review the proposed design and vote to approve or deny based upon approval criteria of the DRB. A public notification process would be involved at both the Public Arts Board hearing and the Design Review Board.

Proposed ordinance changes will go to the Design Review Board in the beginning of March. If approved, changes will go to the Planning Board and then City Commission for final approval.

Police Department

1. Michigan Association of Chiefs of Police (MACP) mock assessment for department accreditation is scheduled for February 16, 2021.
2. Dept. personnel met with personnel from Bloomfield Township and Auburn Hills on Thursday, Feb. 4, 2021 to discuss developing the interlocal agreement, job description and security protocols for the new Mental Health Co-Responder Response program.
3. Full time Police Officer Yacoub Iseid left the department on Jan. 31, 2021 to pursue a career in the private sector with General Motors in the field of information technology. Yacoub worked for the City for seven years.
4. Part time Dispatcher David Sharick left the department on Jan. 29, 2021 to pursue a career in the private sector with Ford Motor Company in the field of security and threat assessment. David worked for the City for one year.
5. On Sunday, January 31, 2021, the City of Clawson Police Department called out the Major Case Assistance Team (MCAT) to assist them in a homicide investigation. Our department is a member of the MCAT team. The suspect was arrested and charges are pending.

Future Agenda Items

Download a summary of [future agenda items](#).

Future Workshop Items

Download a summary of [future workshop items](#).

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION
NOTICE OF HEARING
FOR THE GAS CUSTOMERS OF
CONSUMERS ENERGY COMPANY
CASE NO. U-20814**

- Consumers Energy Company requests Michigan Public Service Commission's approval of a gas cost recovery plan and authorization of gas cost recovery factors for the 12 months ending March 31, 2022.
- The information below describes how a person may participate in this case.
- You may call or write Consumers Energy Company, One Energy Plaza, Jackson, MI 49201, 517-788-0550 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company.
- A pre-hearing will be held:

DATE/TIME: **Thursday, February 11, 2021 at 10:00 AM**

BEFORE: **Administrative Law Judge Jonathan Thoits**

LOCATION: **Video/Teleconferencing**

PARTICIPATION: Any interested person may participate. Persons needing any assistance to participate should contact the Commission's Executive Secretary at (517) 284-8090, or by email at mpscedockets@michigan.gov in advance of the hearing.

The Michigan Public Service Commission (Commission) will hold a pre-hearing to consider Consumers Energy Company's (Consumers Energy) December 23, 2020 application requesting the Commission to: 1) authorize Consumers Energy to implement a Gas Cost Recovery (GCR) plan and monthly GCR factors for the period April 2021 through March 2022, consisting of the sum of two parts: (i) a base factor of \$2.6453 per Mcf; plus, (ii) additional amounts contingent upon future events, determined using the GCR Factor Ceiling Price Adjustment (Contingency) Mechanism; 2) review Consumers Energy's plans and projections through March 2026, approve the five-year forecast and indicate any cost items in the five-year forecast that cannot be recovered from Consumers Energy customers in rates, rate schedules, or gas cost recovery factors established in the future; and 3) grant Consumers Energy such other and further relief as is lawful and appropriate, including approval of higher GCR factors than requested.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: mpscedockets@michigan.gov.

INFORMATION ONLY

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by February 4, 2021. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy Company's Legal Department – Regulatory Group, One Energy Plaza, Jackson, MI 49201.

The prehearing is scheduled to be held remotely by video conference or teleconference. Persons filing a petition to intervene will be advised of the process to participate in the hearing.

Any person wishing to participate without intervention under Mich Admin Code, R 792.10413 (Rule 413), or file a public comment, may do so by filing a written statement in this docket. The written statement may be mailed or emailed and should reference Case No. **U-20814**. Statements may be emailed to: mpscedockets@michigan.gov. Statements may be mailed to: Executive Secretary, Michigan Public Service Commission, 7109 West Saginaw Hwy., Lansing, MI 48917. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Requests for adjournment must be made pursuant to Michigan Office of Administrative Hearings and Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

A copy of Consumers Energy Company's application may be reviewed on the Commission's website at: michigan.gov/mpscedockets, and at the office of Consumers Energy Company. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

The Utility Consumer Representation Fund has been created for the purpose of aiding in the representation of residential utility customers in various Commission proceedings. Contact the Chairperson, Utility Consumer Participation Board, Department of Licensing and Regulatory Affairs, P.O. Box 30004, Lansing, Michigan 48909, for more information.

Jurisdiction is pursuant to 1909 PA 300, as amended, MCL 462.2 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; 1982 PA 304, as amended, MCL 460.6h et seq.; and Parts 1 & 4 of the Michigan Office of Administrative Hearings and Rules, Mich. Admin Code, R 792.10106 and R 792.10401 through R 792.10448.

CONSUMERS ENERGY COMPANY HAS REQUESTED THE GAS COST RECOVERY FACTORS DESCRIBED IN THIS NOTICE. THE MICHIGAN PUBLIC SERVICE COMMISSION MAY APPROVE, REJECT OR AMEND THE FACTORS AND OTHER PROPOSALS.

The U.S. CENSUS BUREAU Has the following Position Available:

FIELD REPRESENTATIVE OAKLAND COUNTY



SALARY RANGE

- \$15.10 - \$21.86 per hour starting salary
- 10% night differential for hours worked after 6 PM
- \$.56 cents per reimbursable mile driven

HOURS

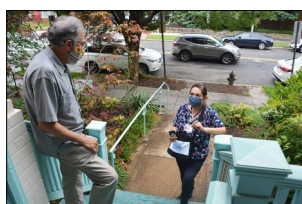
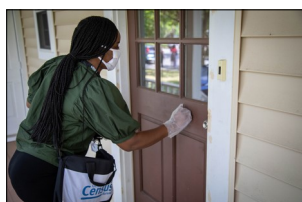
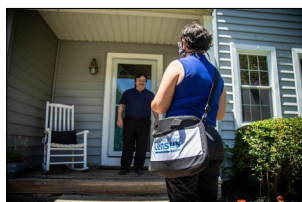
- Flexible hours, varies based on Survey

REQUIREMENTS

- Must complete an assessment and a mock and structured job interview
- Must have six months of general experience and/or education
- Must be a U.S. Citizen
- Must be at least 18 years old
- Must have a valid driver's license
- Must have an insured and working automobile
- Must pass a security background check

DUTY LOCATION

- Applicants selected for this position will have their home as their Duty Station and will be required to travel throughout their local area on a routine basis



How to Apply:

Interested applicants should contact the Chicago Regional Office to request an application packet by providing your mailing address.

To request an application, call us at **800-865-6384, Ext 15**, or email us at **Chicago.Recruiting@Census.gov**

<https://www.census.gov/about/regions/chicago/jobs/all.html>

THIS AGENCY PROVIDES REASONABLE ACCOMMODATIONS TO APPLICANTS WITH DISABILITIES. IF YOU NEED A REASONABLE ACCOMMODATION FOR THE APPLICATION AND HIRING PROCESS, PLEASE NOTIFY THE AGENCY at 630-288-9200. THE DECISION ON GRANTING REASONABLE ACCOMMODATIONS WILL BE ON A CASE-BY-CASE-BASIS. **THE DEPARTMENT OF COMMERCE, U.S. CENSUS BUREAU IS AN EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER** THE U.S. CENSUS BUREAU DOES NOT DISCRIMINATE IN EMPLOYMENT ON THE BASIS OF RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, POLITICAL AFFILIATION, SEXUAL ORIENTATION, MARITAL STATUS, DISABILITY, AGE MEMBERSHIP IN AN EMPLOYEE ORGANIZATION, OR OTHER NONMERIT FACTOR.



INFORMATION ONLY