

VIRTUAL MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY, MAY 26, 2021
7:30 PM

<https://zoom.us/j/111656967> or dial: 877-853-5247 Toll-Free, Meeting Code: 111656967

- A. Roll Call
- B. Review and Approval of the Minutes of the regular meeting of **April 28, 2021**
- C. Chairpersons' Comments
- D. Review of the Agenda

- E. Special Land Use Permit Reviews
 - 1. **239 N. Old Woodward - Bloom Bistro (former Pita Café)** Request for a Special Land Use Permit to consider approval of a new bistro serving alcoholic liquors in an existing building.
 - 2. **115 Willits Street – Mare Mediterranean (former Cameron's Steakhouse)**, Request for a Special Land Use Permit to consider approval of new restaurant serving alcoholic liquors in an existing building.
 - 3. **176 S. Old Woodward – Sushi Japan (former 2941 Street Food)**, Request for a Special Land Use Permit to consider approval of new bistro serving alcoholic liquors in an existing building.

- F. Final Site Plan and Design Review
 - 1. **239 N. Old Woodward - Bloom Bistro (former Pita Cafe)**, Request for a Special Land Use Permit to consider approval of a new bistro serving alcoholic liquors in an existing building.
 - 2. **115 Willits Street – Mare Mediterranean (former Cameron's Steakhouse)**, Request for Final Site Plan and Design Review to consider approval of design changes to an existing building for a new restaurant serving alcoholic liquors.
 - 3. **176 Old Woodward – Sushi Japan (former 2941 Street Food)**, Request for a Special Land Use Permit to consider approval of new bistro serving alcoholic liquors in an existing building.

- G. Miscellaneous Business and Communications:
 - 1. Communications
 - 2. Administrative Approval Correspondence
 - 3. Draft Agenda for the next Regular Planning Board Meeting (**June 9, 2021**)
 - 4. Other Business

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

- I. Adjournment

Notice: Due to Building Security, public entrance during non-business hours is through the Police Department—Pierce St. Entrance only.

Individuals with disabilities requiring assistance to enter the building should request aid via the intercom system at the parking lot entrance gate on Henrietta St.

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

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City Of Birmingham
Regular Meeting Of The Planning Board
Wednesday, April 28, 2021

Held Remotely Via Zoom And Telephone Access

Minutes of the regular meeting of the City of Birmingham Planning Board held on April 28, 2021.
Vice-Chair Bryan Williams convened the meeting at 7:35 p.m.

A. Roll Call

Present: Vice-Chair Bryan Williams; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Daniel Share, Janelle Whipple-Boyce; Alternate Board Member Jason Emerine (all located in Birmingham, MI, with the exception of Stuart Jeffares who was in Traverse City, MI.)

Absent: Chair Scott Clein; Alternate Board Member Nasseem Ramin; Student Representatives Daniel Murphy, Jane Wineman

Administration: Jana Ecker, Planning Director ("PD")
Brooks Cowan, City Planner ("CP")
Laura Eichenhorn, City Transcriptionist

Fleis and Vandenbrink:
Julie Kroll

04-056-21

B. Approval Of The Minutes Of The Regular Planning Board Meeting of April 14, 2021

Mr. Share noted that Mr. Williams could not have seconded the motion to approve the minutes as he was absent from the meeting. PD Ecker said Staff would review the audio and make the correction.

Mr. Share said the word 'visually' should be added before 'immaterial' on page four.

Motion by Mr. Share

Seconded by Mr. Koseck to approve the minutes of the Regular Planning Board Meeting of April 14, 2021 as amended.

Motion carried, 5-0.

ROLL CALL VOTE

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

Nays: None

Abstain: Williams, Emerine

04-057-21

C. Chair's Comments

Vice-Chair Williams welcomed everyone to the virtual meeting and reviewed the meeting's procedures.

04-058-21

D. Review Of The Agenda

PD Ecker noted that while there were no changes to the agenda, Item G, the Special Land Use Permit Review for 300 & 394 S. Old Woodward and portions of 294 E. Brown was there strictly to serve as public notification. She stated the SLUP would only be reviewed if/when the Final Site Plan for 300 & 394 S. Old Woodward and portions of 294 E. Brown comes before the Board in the future.

04-059-21

E. Rezoning Request

1. 300 & 394 S. Old Woodward, and portions of 294 E. Brown (Capital Title/Lutz & Frank's Shoe Service, portions of Coldwell Banker Weir Manual parking lot), Request for rezoning from B2/D3 to B2/D4 in the Downtown Overlay District.

PD Ecker and Gayle McGregor, attorney for the applicant, reviewed the item.

Victor Saroki, applicant, and Kelly Allen, attorney for the applicant, were also present on behalf of the item.

Ms. McGregor affirmed the applicant was offering to voluntarily limit the height of the building to four stories as part of rezoning the proposed parcel to D4. She said she believed she had submitted that offer in writing to the City. She said that if she had not yet submitted the offer in writing she would.

Mr. Share noted that the use and development of the land as a condition of the rezoning could be voluntarily limited by the applicant if submitted in writing, and could then be accepted by the City, per MCL 125.3405(1).

Board discussion noted that the City had used the same mechanism to include rezoning restrictions when the Whole Foods Market parcel was rezoned.

Vice-Chair Williams said the applicant's offer to limit the height of the building was positive since he did not believe that a five-story building should be built on the proposed parcel.

Mr. Share agreed.

Public Comment

Jeff Hockman, Chair of the BSD Board, spoke in favor of the rezoning. He said rezoning this proposed parcel was in line with the goals of the 2016 Plan and would benefit the broader Birmingham business community.

Marko Berishaj spoke in favor of the project.

After further discussion, the Board asked the applicant to clarify whether their voluntary limitation was to four floors, or to the specific design being put forth.

Mr. Saroki said he would voluntarily limit the rezoning request to the design as proposed in the site plan.

In reply to Ms. Whipple-Boyce, Vice-Chair Williams said the City Attorney would have to determine what would happen to the rezoning if the building is not developed.

Motion by Mr. Share

Seconded by Mr. Emerine based on a review of the rezoning request and supporting documentation submitted by the applicant, the voluntary offer conditions submitted by the applicant, a review of the applicable master plan documents and the development trends in the area, the Planning Board 1. Adopts the findings of fact contained in the staff report dated April 23, 2020 and 2. Recommends approval to the City Commission for the rezoning of 300-394 S. Old Woodward and a portion of 294 E. Brown Street as delineated in the application from D-3 to D-4 in the Downtown Overlay, conditioned on the City Commission's acceptance of the applicant's voluntary offer to limit the height of the building on this parcel to four stories in accordance with the building's form and mass contained in the proposed site plan submitted by the applicant.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

04-060-21

F. Zoning Ordinance Amendment Request

1. Request for an amendment to Chapter 126, Zoning, Appendix 1, Exhibit A, to amend the Economic Development License map to include the properties at **300 & 394 S. Old Woodward, and portions of 294 E. Brown** – New Construction (Capital Title/Lutz & Frank's Shoe Service, portions of Coldwell Banker Weir Manual parking lot) on the map contained in Exhibit A to allow the use of economic development liquor licenses (EDL) on these properties.

CP Brooks and Ms. McGregor presented the item.

In reply to Vice-Chair Williams, Mr. Saroki confirmed the granting of an EDL is critical to the development of this project.

Mr. Share said that irrespective of the current proposal from RH the City should consider allowing this parcel to be eligible for an EDL since the 2016 Plan set it out as an ideal location for an anchor tenant.

Motion by Mr. Share

Seconded by Ms. Whipple-Boyce to recommend approval to the City Commission of the ordinance amendment to allow the use of an Economic Development Liquor License in the expanded area as shown on the attached map for Appendix C, Exhibit 1, Economic Development Licenses.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

04-061-21

G. Special Land Use Permit Reviews

1. 300 & 394 S. Old Woodward, and portions of 294 E. Brown – New Construction (Capital Title/Lutz & Frank's Shoe Service, portions of Coldwell Banker Weir Manual parking lot), Request for a Special Land Use Permit to consider approval of a new 4 story building, including a request to operate a restaurant using an Economic Development Liquor License.

No discussion occurred regarding this item per PD Ecker's comments under Item D, Review of the Agenda.

04-062-21

H. Community Impact Study Review

1. 300 & 394 S. Old Woodward, and portions of 294 E. Brown – New Construction (Capital Title/Lutz & Frank's Shoe Service, portions of Coldwell Banker Weir Manual parking lot), Community Impact Study to consider approval of a new 4 story building, including a request to operate a restaurant using an Economic Development Liquor License (Continued from March 26, 2021).

PD Ecker introduced the item. She noted that the only outstanding comment from Ms. Kroll was that the applicant consider adding more bicycle parking onsite.

Mr. Emerine was the Board liaison to the meeting between the City, Ms. Kroll and the applicant's traffic consultants regarding the transportation impact study. Mr. Emerine reported that the

applicant addressed every issue raised by Ms. Kroll in her March 17, 2021 letter, with the exception of some possible additional bicycle parking, to Ms. Kroll's satisfaction. He stated that the applicant also shifted the proposed valet south in response to a request from the Police Department.

Ms. Kroll concurred with Mr. Emerine's summary.

Mr. Saroki said he would be happy to add additional bicycle racks, noting that there would be a bicycle rack provided for employees as well. He continued that while peak demand on the City's parking system is weekdays during business hours, the demand for parking from visitors to RH would be Saturdays and Sundays. He said, consequently, that RH would add little strain to the City's parking system. He said that during any shift there would be approximately 50 employees working and that they would park in the City's parking decks.

Motion by Mr. Emerine

Seconded by Ms. Whipple-Boyce to accept the Community Impact Study as provided by the applicant for the proposed development at 300 - 394 S. Old Woodward and a portion of 294 E. Brown Street with the following conditions:

- 1. The applicant is required to provide information on all life safety issues and Fire Dept. approval;**
- 2. The applicant is required to provide information on the proposed security system for approval by the Police Department; and,**
- 3. The applicant shall add the bicycle racks in accordance with the Fleis and Vandenbrink letter dated April 26, 2021.**

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

04-063-21

I. Preliminary Site Plan Review

1. 300 & 394 S. Old Woodward, and portions of 294 E. Brown – New Construction (Capital Title/Lutz & Frank's Shoe Service, portions of Coldwell Banker Weir Manual parking lot), Preliminary Site Plan Review to consider approval of a new 4 story building, including a request to operate a restaurant using an Economic Development Liquor License (Continued from March 26, 2021).

PD Ecker summarized the item.

Vice-Chair Williams said that the applicant's offer to have a zoning with limitations consistent with the preliminary site plan would need the review of the City Attorney to make sure the rezoning, if authorized by the Commission, occurs in a way that is consistent with Michigan law.

In reply to Mr. Boyle, Mr. Saroki stated the building would be very adaptable for other uses in the future should the need arise.

Mr. Koseck concurred with Mr. Saroki. He expressed his support for the plans thus far, and recommended that the applicant consider an exterior building color that would contrast with the grey exterior of the Daxton instead of looking like an extension of it.

Messrs. Koseck and Emerine noted that RH would be a regional attraction.

Mr. Emerine spoke positively about previously living two blocks from the RH in Chicago. He also spoke about the positive impact the proposed development would have on the retail community in Birmingham. He said he was in support of the plan.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Jeffares to approve the Preliminary Site Plan for 300 - 394 S. Old Woodward and a portion of 294 E. Brown Street subject to the following conditions:

- 1. The applicant is required to obtain approval of the City Commission for the proposed lot splits and lot combination to create the new lot that is the subject of this application and shown on the site plan;**
- 2. The applicant obtain a variance for the use of the fourth floor as a restaurant, or obtain approval of a rezoning of the property to D-4 in the Downtown Overlay;**
- 3. The applicant obtain a variance for the use of an Economic Development license on the site, or obtain approval of a zoning amendment to alter the map contained in Appendix C, Exhibit 1 of the Zoning Ordinance to include the subject property;**
- 4. The applicant reduce the height of the proposed building to 68' and 3 stories and the eave height to 34' maximum, or obtain the requested rezoning of the site from D-3 to D-4 in the Downtown Overlay District, or obtain a variance from the Board of Zoning Appeals;**
- 5. The applicant update the landscape plan to provide species and size details on all proposed plantings, and provide material specifications on hardscape items at the time of Final Site Plan Review;**
- 6. The applicant is required to receive separate Planning approval for all landscaping changes proposed for the adjacent site, as they are not included in this site plan review approval;**
- 7. The applicant must submit a complete streetscape plan, including detail on hanging planters, at the time of Final Site Plan review;**
- 8. All streetscape elements on S. Old Woodward will be required to be consistent with the enhanced streetscape design planned by the City for future construction;**
- 9. The applicant must obtain approval of the Police Department and/or City Commission for any valet operation proposed;**
- 10. The applicant must submit all light fixture specification sheets and material and color samples at Final Site Plan Review;**
- 11. Compliance with the requirements of all departments; and,**
- 12. The applicant provide all material samples, specifications and colors at the time of Final Site Plan Review.**

Vice-Chair Williams said he was in favor of the plan, especially since all outstanding issues from the transportation impact study had been resolved and since the applicant voluntarily offered to accept a rezoning with conditions.

Public Comment

Richard Astrein, who has been a merchant in Birmingham for 50 years, spoke of the positive impact RH would have on the Birmingham retail business community.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

Vice-Chair Williams thanked the applicant team and Ms. Kroll for their work.

04-064-21

J. Miscellaneous Business and Communications:

a. Communications

b. Administrative Approval Correspondence

PD Ecker asked the Board for its consensus regarding allowing two potential administrative approvals.

The first request, for 191 Chester, was an outdoor patio along the western edge of the building. The residential neighbor immediately due west submitted a letter of support for the plans. The Board said the Planning Department could proceed with an administrative approval of the plans.

The second request was for Hazel Ravines Downtown regarding outdoor dining. PD Ecker noted that while the proposal could currently be approved under the City's Covid-19 allowances, she suspected the owners would want to keep the plastic chairs they were proposing beyond the lifting of the Covid-19 rules. Since the chairs would require an amended SLUP once the Covid-19 rules were lifted, PD Ecker wanted the Board's opinion on the chairs now. The Board expressed approval of the plans for outdoor dining and the proposed chairs.

c. Draft Agenda for the next Regular Planning Board Meeting (May 26, 2021)

d. Other Business

Since the Board's now-cancelled meeting on May 12, 2021 would have conflicted with Eid, PD Ecker recommended that the public hearings originally scheduled for that date be moved to June 9, 2021.

Motion by Mr. Share

Seconded by Ms. Whipple-Boyce to reschedule the public hearings on glazing and solar panels from May 12, 2021 to June 9, 2021.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

04-065-21

K. Planning Division Action Items

a. Staff Report on Previous Requests

b. Additional Items from tonight's meeting

04-066-21

I. Adjournment

No further business being evident, the Vice-Chair adjourned the meeting at 10:15 p.m.

Jana L. Ecker
Planning Director



MEMORANDUM

Planning Division

DATE: May 26th, 2021

TO: Jana Ecker, Planning Director

FROM: Nicholas Dupuis, City Planner

SUBJECT: 239 N. Old Woodward – Bloom Bistro – Special Land Use Permit, Final Site Plan & Design Review

The subject site, 239 N. Old Woodward, is currently used as a 2-story commercial building (historic Huston Building) fronting onto N. Old Woodward. The applicant has submitted a Special Land Use and Final Site Plan/Design Review application for the introduction of a new bistro a first-floor tenant space, formerly the Pita Café. The applicant is proposing a 65-seat interior and a 36-seat outdoor dining space with extensive façade renovations proposed for this new tenant and for the building as a whole in the future.

Bloom was selected by the City Commission on October 26, 2020 as one of five bistro applications to move forward to contend for one of the two new bistro licenses that may be approved each calendar year. During the selection process, the applicant described Bloom as a destination, plant-based experience driven by a trendy atmosphere and complemented by hand crafted cocktails and a chef intensive, seasonally changing menu.

The Birmingham Code of Ordinances states that a contract for transfer and a Special Land Use Permit are required for all licenses approved under Chapter 10 – Alcoholic Liquors. The licensee must comply with all provisions of the contract and Special Land Use Permit, and any amendments thereto as a condition of granting of a requested transfer. Accordingly, the applicant must obtain a recommendation from the Planning Board on the Special Land Use and Final Site Plan/Design Review application, which is then reviewed for final consideration by the City Commission.

The Huston Building is a locally designated historic resource in the Central Business Historic District. The building was built in 1923, and has been altered several times over the years into what exists today. Although there have been changes, the building is considered to be in good shape, as the original brick façade remains (albeit painted), along with the second floor window openings, distinct roof shape, and its retail use split into two tenants on the first floor. The applicant has indicated that they will be proposing extensive façade renovations to the building aiming to restore the building to a look that more closely matches the original 1923 façade. These changes are required to be reviewed by the Historic District Commission, and may be altered

based on a review of the Secretary of the Interior Standards for Rehabilitation and Chapter 127 of the Birmingham Code of Ordinances. The applicant is scheduled to go before the Historic District Commission on June 16th, 2021 for the façade renovations, including Bloom. **The applicant must receive Historic District Commission approval for all exterior changes proposed.**

1.0 Land Use and Zoning

1.1 Existing Land Use – 2-Story historic commercial building

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

1.3 Summary of Adjacent Land Use and Zoning –

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

2.0 Activation Overlay District

As the subject site is located on the Willits Alley, and the applicant is proposing to activate the rear of the building with outdoor dining, a review of the Activation Overlay District is required.

The Willits Alley is classified as an Active Via. An Active Via is defined as an alley with a mix of uses and activities used by pedestrians/bicyclists for travel, some commercial activities, pausing for respite, outdoor dining, etc. with shared use by service vehicles (deliveries, trash removal, etc.). However, Article 3, Section 3.16 (A) states that the following uses are permitted within Active, Connecting and Destination Vias:

1. Retail sales and display;
2. Public plazas and informal gathering spaces;
3. Art display; and
4. Community Gardens.

In addition, the following uses are also permitted within Connecting and Destination Vias:

1. Outdoor dining; and
2. Special Events.

It would appear as though there is a conflict between the definition of Active Via, which includes outdoor dining, and the permitted uses of each classification of Via, which seems to preclude outdoor dining in Active Vias. **The Planning Board should discuss this inconsistency in the context of the original intent of the Activation Overlay District.**

In addition to use, the applicant is also proposing several design approaches and a sign related to the requirements outlined in the Activation Overlay District. The new Bloom restaurant will be directly accessible from the adjoining via, and the applicant is proposing creative design and color to enhance the rear. The applicant is also proposing one sign that reads "Bloom" above the rear entry door measuring 6 sq. ft. Section 3.16 (I) of the Activation Overlay District requires the following:

1. All doors adjoining alleys or passages are required to provide signage identifying the first floor business(es) contained therein;
2. All first floor uses with rear or side entrances onto alleys or passages must provide pedestrian scaled projecting signs mounted perpendicular to the corresponding facade. One projecting sign is required for each facade with an entrance onto a via. Projecting signs may extend no more than 4 feet from the building facade, projecting banners may extend no more than 6 feet from the building facade, and neither may encroach the clear zone for service vehicles;
3. The lowest point of all projecting signage must be a minimum of 8 feet above grade;
4. Alley and passage commercial signage must be reviewed in accordance with the procedure contained in Article 2 of the Birmingham Sign Ordinance (Chapter 86 of the City Code), but is intended to be bolder and more graphic in nature than storefront signage; and
5. The square footage of the required alley and passage commercial signage required in this section will not count against the maximum total signage permitted on the site.

At this time, the rear sign as proposed does not meet the requirements of the Activation Overlay District, as the proposed sign is not a projecting sign mounted perpendicular to the façade. Thus, **the applicant must submit a revised sign plan that meets the requirements of the Activation Overlay District.**

3.0 Bistro Requirements

Article 9, Section 9.02, Definitions, of the Zoning Ordinance defines a bistro as a restaurant with a full service kitchen with interior seating for no more than 65 people and additional seating for outdoor dining for no more than 65 people.

Article 3, Section 3.04(C)(10) of the Zoning Ordinance permits bistros in the Downtown Overlay District as long as the following conditions are met:

- a. No direct connect additional bar permit is allowed and the maximum seating at a bar cannot exceed 10 seats;
- b. Alcohol is served only to seated patrons, except those standing in a defined bar area;
- c. No dance area is provided;
- d. Only low key entertainment is permitted;
- e. Bistros must have tables located in the storefront space lining any street, or pedestrian passage;
- f. A minimum of 70% glazing must be provided along building facades facing a street or pedestrian passage between 1' and 8' in height;
- g. All bistro owners must execute a contract with the City outlining the details of the operation of the bistro; and
- h. Outdoor dining must be provided, weather permitting, along an adjacent street or passage during the months of May through October each year. Outdoor dining is not permitted past 12:00 a.m. If there is not sufficient space to permit such dining on the sidewalk adjacent to the bistro, an elevated, ADA compliant, enclosed platform must be erected on the street adjacent to the bistro to create an outdoor dining area if the Engineering Department determines there is sufficient space available for this purpose given parking and traffic conditions.
- i. Enclosures facilitating year round dining outdoors are not permitted.
- j. Railings, planters or similar barriers defining outdoor dining platforms may not exceed 42" in height.
- k. Outdoor rooftop dining is permitted with the conditions that surrounding properties are not impacted in a negative manner and adequate street level dining is provided as determined by the Planning Board and City Commission. Rooftop dining seats will count towards the total number of permissible outdoor dining seats.

At this time, the applicant appears to meet the requirements listed above. On the interior, the proposed L-shaped bar contains 7 seats and a well-defined bar area that is marked on the floor plan. There is no dance floor, and there are no indications on the plans that any entertainment will be provided at the proposed restaurant. In totality, the applicant is proposing 65 interior seats, including the 7 at the bar.

As far as exterior conditions, a 12-seat outdoor patio is proposed out front along S. Old Woodward, and a 24-seat outdoor dining area is proposed in the Willits Alley (36 total). Both outdoor dining areas are proposed to be defined by seasonal planter boxes, and contain metal tables and chairs with umbrellas matching the color palate of the Bloom concept. The applicant maintains a 5 ft. walking path on the S. Old Woodward thoroughfare, and a 13 ft. 2 in. drive aisle in the alley. The site plans submitted do not show a trash receptacle in the outdoor dining areas aside from an existing public trash can on S. Old Woodward. **The applicant must submit revised site plans showing non-public trash receptacles in each outdoor dining area.** The applicant has also submitted glazing calculations showing 71% glazing proposed, which will be discussed in further detail in the Design Review section below.

Bloom has indicated that the proposed hours of operation for the bistro are 11 AM – 1 AM on Monday-Friday, and 9:30 AM – 1 AM on Saturday and Sunday. The applicant has stated that the outdoor dining hours will comply with the Zoning Ordinance, which permits outdoor dining until 12 AM. It is worth noting that the proposed Willits Alley outdoor dining area is not directly adjacent to the Willits Building, which is predominantly residential, but it is within 70 ft. of the building. The only other outdoor dining that has been permitted in the Willits Alley is that of Dick O' Dows, which was approved while Maple Rd. was under construction under the temporary COVID-19 outdoor dining expansion resolution. Up to this point, the Planning Division has not received any complaints from the Willits regarding any nuisance stemming from that outdoor dining area.

4.0 Setback and Height Requirements

Please see the attached zoning compliance summary sheet for details on setback and height requirements. The following bulk, placement and/or height issues are present:

1. The applicant is proposing a plain (no text/graphics), vertical canvas banner that extends from the top of the first floor to just below the roofline at the rear of the building along the alley. Article 4, Section 4.74 (4)(D)(c)(i) states that removable architectural elements may be approved by the Planning Board to project into the right of way provided that they are constructed to support applicable loads without any ground mounted supports on public property. Encroachments with less than 15 ft. of clearance above the sidewalk shall not extend into or occupy more than two-thirds of the width of the sidewalk or 5 ft., whichever is less, and must not interfere with any existing or planned streetscape elements or infrastructure. The proposed banner extends 1.5 ft. into the public right-of-way, meeting the requirements of the Ordinance. Thus, **the applicant must receive**

approval from the Planning Board for the projection into the right-of-way.

5.0 Screening and Landscaping

- 5.1 Dumpster Screening – The applicant is proposing to utilize an existing trash compactor located behind the Sum-Thing retail store roughly 140 ft. away from the rear access door of Bloom. The applicant has not indicated how many users currently have access to the compactor, nor how often it is emptied. Chapter 90, Section 90-30 of the Birmingham Code of Ordinances permits commercial properties to share waste receptacles between no more than four to six businesses. **The applicant must provide the details on how many businesses utilize the shared compactor, including the proposed Bloom restaurant.**
- 5.2 Parking Lot Screening – The subject site is located within the Parking Assessment District. Therefore, no additional off-street parking facility and accompanying screening is required or proposed.
- 5.3 Mechanical Equipment Screening – The applicant is not proposing any changes to the existing rooftop mechanical units on the building.
- 5.4 Landscaping – The subject site is currently fully developed with no existing landscaping on site. The applicant is not proposing any new landscaping beds on site. Rather, there will be several planter boxes at the outdoor dining areas containing seasonal plantings such as assorted Coleus/Potato Vines, Palms, Bird of Paradise, and Sanservia. There is also some existing ivy located on the rear of the building that appears to be proposed to remain, although it appears more likely that new ivy would be planted due to the new paint proposed on the rear of the building. Although this potentially re-planted ivy appears to be proposed as Boston Ivy, the Planning Division would like to note at this time that English Ivy is a prohibited species per Article 4, Section 4.20 (D)(4) of the Zoning Ordinance.
- 5.5 Streetscape – There are no new streetscape items proposed as a part of this Special Land Use Permit and Final Site Plan/Design Review application. The N. Old Woodward streetscape in that area was recently redone and contains nearby planter boxes, a pedestrian streetlight, and a waste receptacle.

6.0 Parking, Loading and Circulation

- 6.1 Parking – The subject site is located within the Parking Assessment District. Therefore, no additional off-street parking facility is required or proposed.
- 6.2 Loading – The lower level tenant space measures 3,065 sq. ft. No off-street loading spaces are required for the less than 5,000 sq. ft. commercial use.
- 6.3 Vehicular Circulation and Access – The vehicular circulation and access is proposed to remain the same as is existing. The subject site is currently accessed by S. Old Woodward right-of-way parking, and the Willits Alley in the rear.
- 6.4 Pedestrian Circulation and Access – Pedestrians are able to access the new bistro space through a front door on the N. Old Woodward façade as well as a back door accessible to patrons in the Willits Alley.

7.0 Lighting

The applicant is not proposing to add any additional light fixtures to the building as a part of the façade renovations proposed. The applicant has noted that there are three exterior light sconces on the rear of the building that are proposed to remain.

8.0 Departmental Reports

- 8.1 Engineering Division – The Engineering Division has not provided any comments at this time. All comments received will be shared with the Planning board during Site Plan Review.
- 8.2 Department of Public Services – The Department of Public Services has not provided any comments at this time. All comments received will be shared with the Planning board during Site Plan Review.
- 8.3 Fire Department – The Fire Department has provided the following comments:
 - 1. Maintain fire suppression and alarm system during construction and occupancy.
 - 2. Keep life safety systems in service during construction / remodeling.
 - 3. Fire extinguishers required on premises during construction / remodeling.
 - 4. Knox box required.
 - 5. Site plan walk-thru by AHJ required and may change remodeling plans as required by code.

8.4 Police Department – The Police Department has no concerns at this time. They provided one comment that no liquor license has been submitted yet for Bloom to the Police Department for review/approval.

8.5 Building Division – The Building Division has provided the following comments:

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

Applicable Building Codes:

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

Review Comments:

- There are no building code concerns at this time.

9.0 Design Review

As noted in the introduction, the applicant is proposing several exterior changes to the building for Bloom, but has also shown a future concept for the entire building that is

scheduled to go before the Historic District Commission on June 16th, 2021. For the purposes of this Special Land Use Permit, Final Site Plan and Design Review application for Bloom, the Planning Division will consider only the façade changes for the proposed restaurant space.

The changes specific to the proposed Bloom restaurant space are proposed to be simple and involve a reworked storefront, signage, and a painted rear façade. A complete list of all of the new proposed façade materials is as follows:

Material	Location	Color
Aluminum & Glass French Doors	1 st floor storefront	
Aluminum & Glass Transom Windows	Above 1 st floor French doors	
Paint	Front and rear facades	
Granite	Base of storefront	

Glazing

As noted above, the applicant is proposing to rework the entire storefront and add new glazing, which requires them to meet the glazing requirements outlined in Article 3, Section 3.04 of the Zoning Ordinance. The New Storefront Elevation drawing shown on sheet A-2 contains a calculation showing that the new storefront contains 71% glazing in between 1 ft. and 8 ft. from grade. However, the applicant has not submitted specification sheets on any proposed glazing to ensure that the clarity requirements of 80% VLT are met. **The applicant must submit specification sheets with Visual Light Transmittance figures for all proposed glazing.**

Signage

The applicant is proposing five total signs. The linear frontage of the building measures roughly 42 ft., which permits the building 42 sq. ft. of total signage. Article 3, Section 3.02 of the Sign Ordinance defines a sign as any object, device, logo, display or structure, or part thereof, which is intended to advertise, identify, display, or direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means.

In addition, Article 2, Section 2.03 requires sign area to be computed by means of the smallest square or rectangle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. Considering the definition and computation regulations above, a breakdown of the building signage is provided in the following table:

Sign (Type)	Sign Area (Sq. Ft.)
Stacked Deli (Wall Sign)	16
Bloom (Wall Sign – Canvas)	56
Bloom (Projecting Sign)	7
Bloom (Name Letter Sign – Rear)	6*
Bloom (Name Letter Sign – Clear Panel, Vinyl)	1
Bloom (Name Letter Sign – Window Header, Vinyl)	1
Total Proposed Combined Sign Area:	81
Total Permitted Combined Sign Area:	42
<i>*Area not included in proposed combined sign area per Activation Overlay District</i>	

In regards to the main canvas wall sign and the vinyl name letter sign on the clear panel in front of the transom windows, their projection from the building face also violates Article 1, Section 1.05 (K)(6)(b) of the Sign Ordinance which requires that no wall signs shall project more than 9 inches measured from the wall to which it is attached to the outer surface. The signs as proposed project 12 in.

In summation, **the applicant must revise the sign concept for Bloom to meet the dimensional requirements of the Sign Ordinance**

10.0 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	☒	☐	☐

11.0 Bistro Criteria

Chapter 10, Alcoholic Liquors, section 10-82 provides a limitation on the number of Bistro Licenses that the City Commission may approve, and provides selection criteria to assist the Planning Board and City Commission in evaluating applications for Bistro Licenses. Section 10-82 states:

(1) New establishments. Two (2) Bistro Licenses may be approved each calendar year to applicants who do not meet the definition of existing establishments as set forth in (a)(1) above. In addition to the usual criteria used by the city commission for liquor license requests, the commission shall consider the following non-exclusive list of criteria to assist in the determination of which of the new establishment applicants, if any, should be approved:

- a. The applicant's demonstrated ability to finance the proposed project.
- b. The applicant's track record with the city including responding to city and/or citizen concerns.
- c. Whether the applicant has an adequate site plan to handle the bistro liquor license activities.
- d. Whether the applicant has adequate health and sanitary facilities.
- e. The establishment's location in relation to the determined interest in the establishment of bistros in the Overlay District and the Triangle District.
- f. The extent that the cuisine offered by applicant is represented in the city.
- g. Whether the applicant has outstanding obligations to the city (ie property taxes, utilities, etc.).

The applicant demonstrated at the City Commission that they will be able to finance the project and will offer a bistro that compliments that many health-related enterprises already located in the City. The applicant also does not have any outstanding obligations to the City at this time. The bistro plans proposed provide an adequate space to carry out their liquor license activities with proper health and sanitary facilities. The proposed menu that features a variety of completely plant-based food is not over-represented in the area.

12.0 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.

13.0 Recommendation

Based on a review of the site plan submitted, the Planning Division recommends that the Planning Board recommend **APPROVAL** to the City Commission the Special Land Use and Final Site Plan/Design Review application for 239 N. Old Woodward – Bloom – with the following conditions:

1. The applicant must receive Historic District Commission approval for all exterior changes proposed;
2. The applicant must submit revised site plans showing non-public trash receptacles in each outdoor dining area;
3. The Planning Board APPROVES/DISSAPROVES the projection into the Willits Alley right-of-way;
4. The applicant must provide the details on how many businesses utilize the shared compactor, including the proposed Bloom restaurant;
5. The applicant must submit specification sheets with Visual Light Transmittance figures for all proposed glazing;
6. The applicant must revise the sign concept for Bloom to meet the dimensional requirements of the Sign Ordinance; and

7. The applicant must comply with the requests of all City Departments.

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

Motion to recommend **APPROVAL** to the City Commission the Final Site Plan & Design Review for 239 N. Old Woodward – Bloom – subject to the following conditions:

1. The applicant must receive Historic District Commission approval for all exterior changes proposed;
2. The applicant must submit revised site plans showing non-public trash receptacles in each outdoor dining area;
3. The Planning Board APPROVES/DISSAPROVES the projection into the Willits Alley right-of-way;
4. The applicant must provide the details on how many businesses utilize the shared compactor, including the proposed Bloom restaurant;
5. The applicant must submit specification sheets with Visual Light Transmittance figures for all proposed glazing;
6. The applicant must revise the sign concept for Bloom to meet the dimensional requirements of the Sign Ordinance; and
7. The applicant must comply with the requests of all City Departments.

OR

Motion to **POSTPONE** the Final Site Plan & Design Review 239 N. Old Woodward – Bloom – pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to recommend the **DENIAL** to the City Commission the Final Site Plan & Design Review for 239 N. Old Woodward – Bloom – for the following reasons:

1. _____
2. _____
3. _____

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

Motion to recommend **APPROVAL** to the City Commission the Special Land Use Permit for 239 N. Old Woodward – Bloom – subject to the conditions of Final Site Plan & Design Review approval.

OR

Motion to **POSTPONE** the Special Land Use Permit for 239 N. Old Woodward – Bloom – pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to recommend **DENIAL** to the City Commission the Special Land Use Permit for 239 N. Old Woodward – Bloom – for the following reasons:

1. _____
2. _____
3. _____

**Zoning Compliance Summary Sheet
Final Site Plan Review
239 N. Old Woodward - Bloom**

Existing Site: 2-Story Commercial Building

Zoning: B4 (Business-Residential) and D4 (Downtown Overlay)

Land Use: Commercial

Existing Land Use and Zoning of Adjacent Properties:

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

Land Area: Existing: 0.049 ac.
Proposed: 0.049 ac.

Dwelling Units: Existing: 0 units
Proposed: 0 units

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

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

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

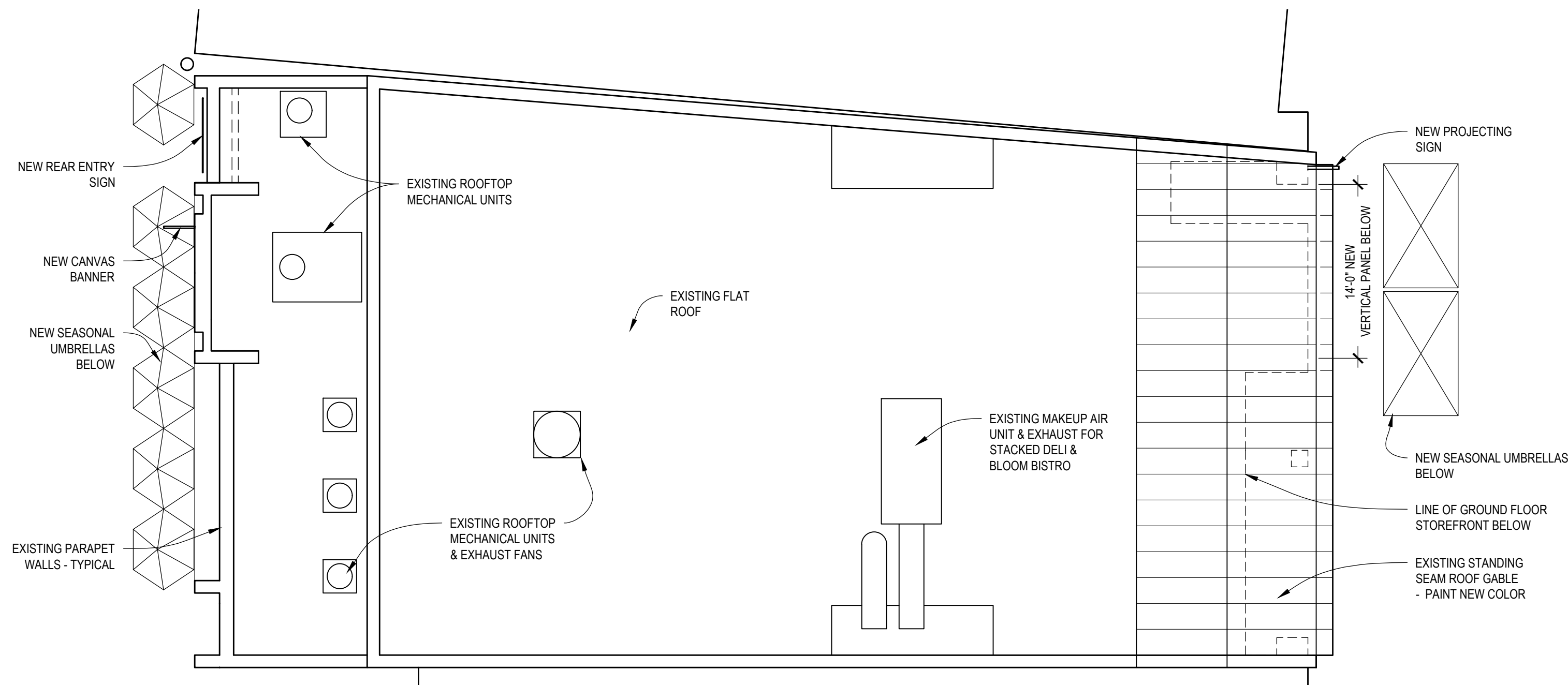
Min. Open Space: Required: N/A
Proposed: N/A

Max. Lot Coverage: Required: N/A
Proposed: N/A

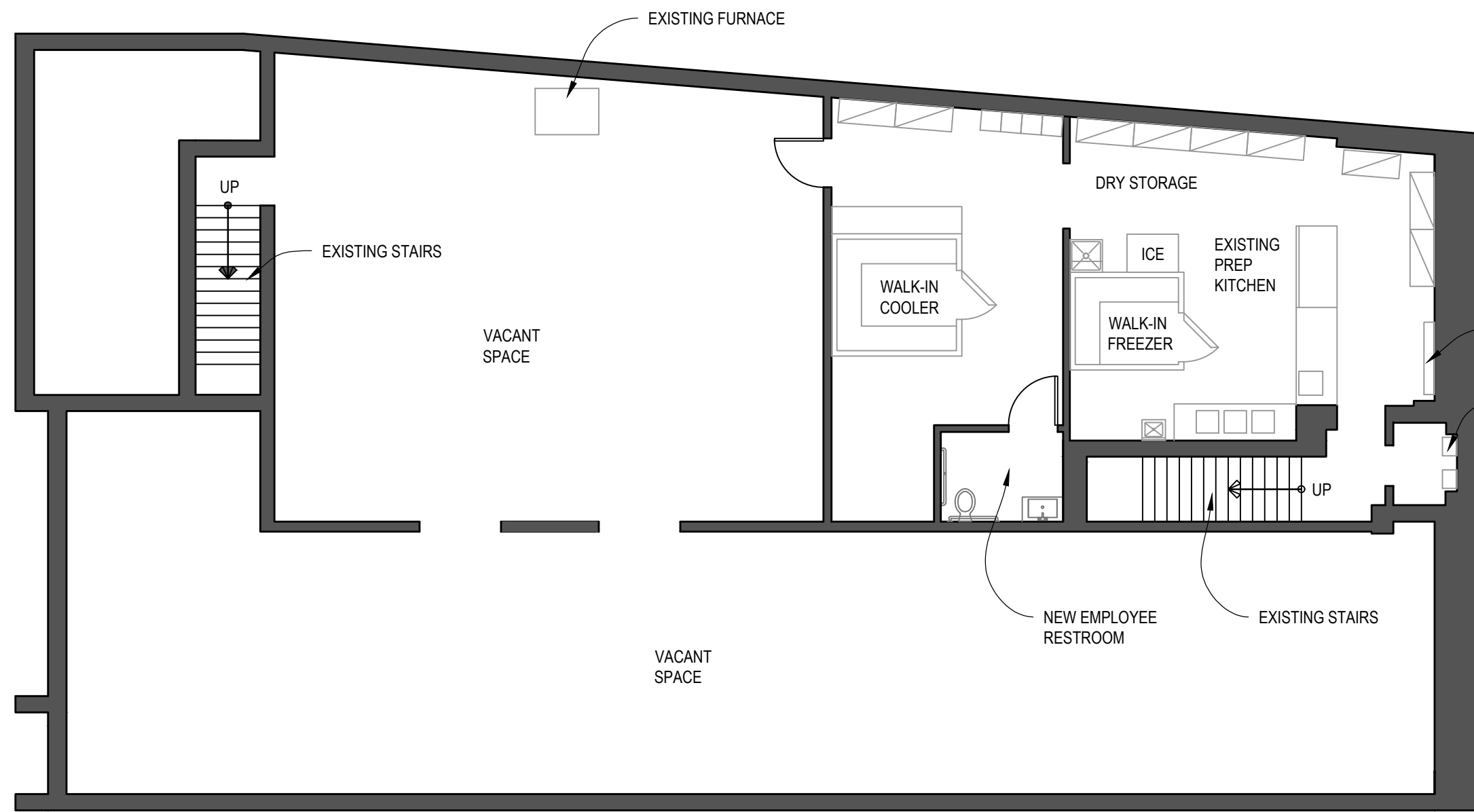
Front Setback:	Required:	0 ft.
	Proposed:	0 ft.
Side Setbacks	Required:	0 ft.
	Proposed:	0 ft.
Rear Setback:	Required:	0 ft.
	Proposed:	0 ft. (no changes proposed)
Min. Front + Rear Setback	Required:	N/A
	Proposed:	N/A
Max. Bldg. Height:	Permitted:	80 ft.
	Proposed:	33 ft. (no changes proposed)
Min. Eave Height:	Required:	58 ft.
	Proposed:	Existing
Floor-Ceiling Height:	Required:	N/A
	Proposed:	N/A
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:	0 off-street spaces (Parking Assessment District)
	Proposed:	0 off- street spaces
Min. Parking Space Size:	Required:	180 sq. ft.
	Proposed:	N/A
Parking in Frontage:	Required:	N/A
	Proposed:	N/A
Loading Area:	Required:	None
	Proposed:	None
Screening:		

Parking: Required: None

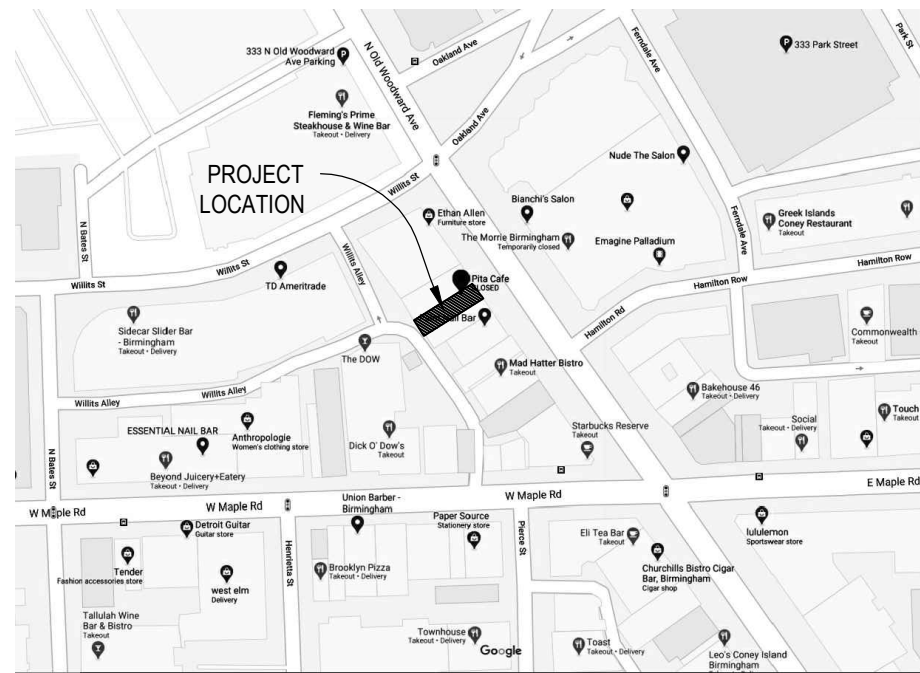
	Proposed:	None
<u>Loading:</u>	Required:	None
	Proposed:	None
<u>Rooftop Mechanical:</u>	Required:	Fully screened from public view
	Proposed:	No changes proposed
<u>Elect. Transformer:</u>	Required:	N/A
	Proposed:	N/A
<u>Dumpster:</u>	Required:	6 ft. masonry w/ wood gate
	Proposed:	No changes proposed



3 ROOF PLAN
scale: 1/8" = 1'-0"



2 BASEMENT FLOOR PLAN
scale: 1/8" = 1'-0"



LOCATION MAP
NORTH

PROJECT INFORMATION:

ZONING: B-4, D-4 OVERLAY & HISTORIC DISTRICT
CURRENT USE GROUP: A-2, RESTAURANT
PROPOSED USE GROUP: A-2, RESTAURANT

PROJECT AREAS:
MAIN FLOOR = 2,148 SF
BASEMENT = 917 SF

PARCEL NUMBER: 08-19-25-378-014

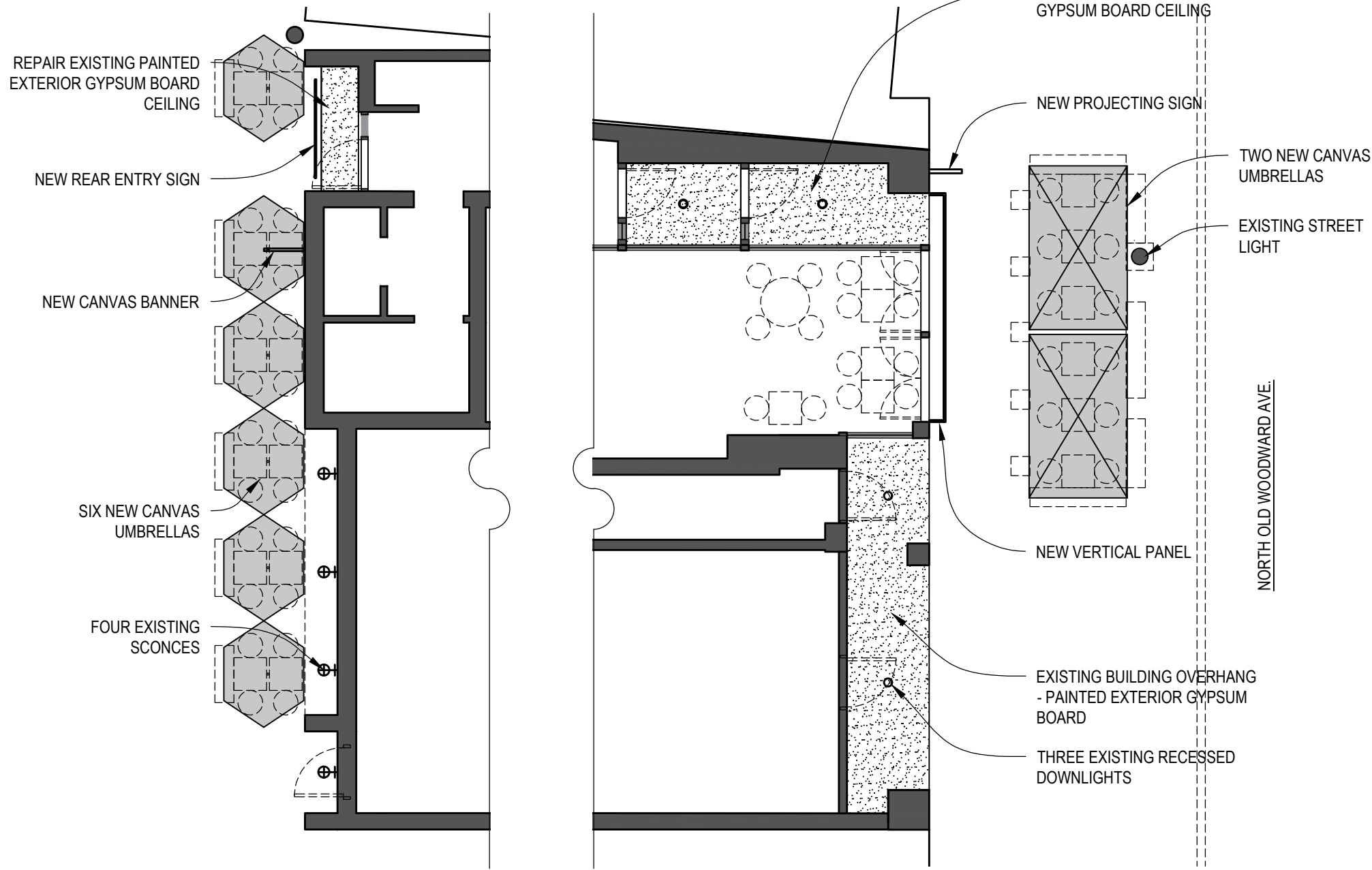
LEGAL DESCRIPTION -
T2N, R10E, SEC 25 ASSESSOR'S PLAT NO 19
PART OF LOT 10 BEG AT NE LOT COR, TH S
33-28-00 E 41.58 FT, TH S 57-35-00 W 90.60 FT, TH
N 33-26-50 W 49.57 FT, TH N 90.83 FT TO BEG

SEATING CAPACITY

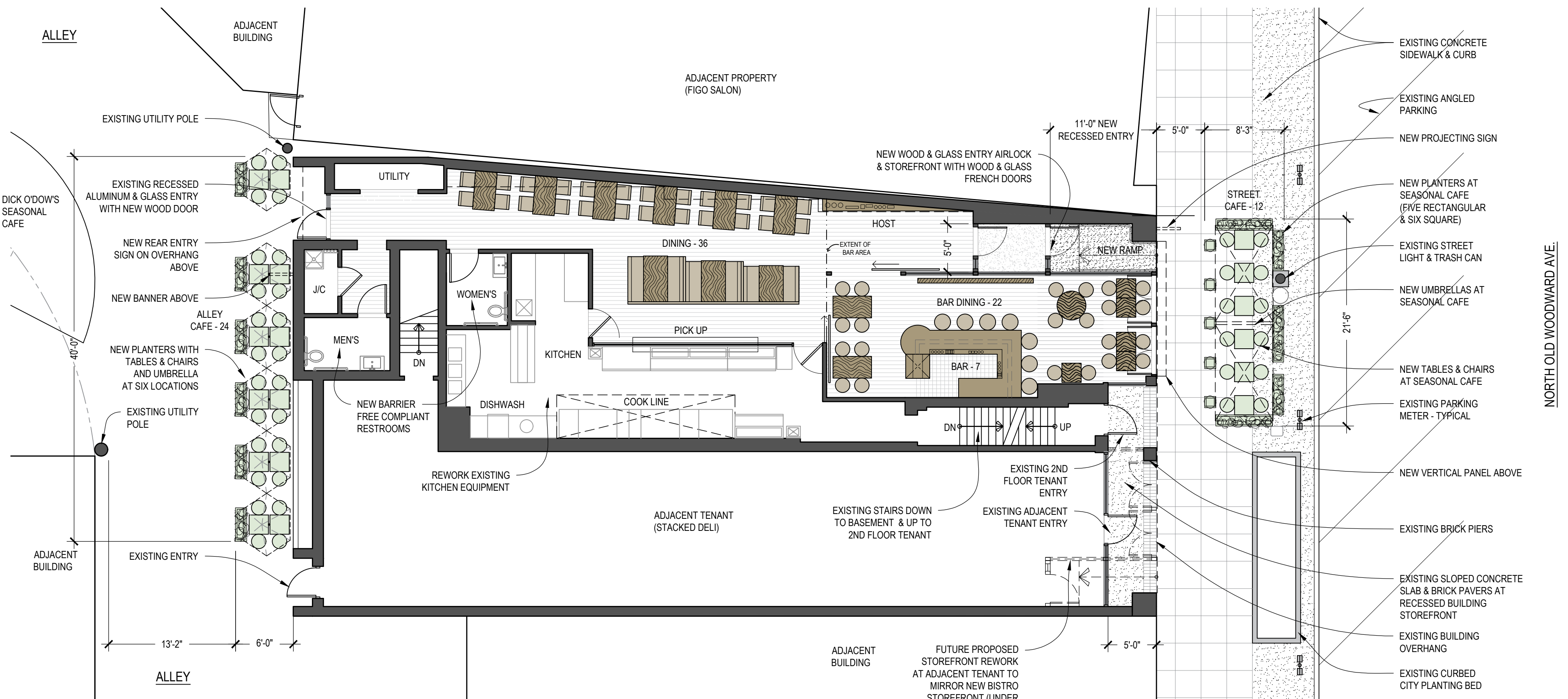
INTERIOR SEATING	
BAR	7
BAR DINING	22
DINING	36
TOTAL INTERIOR	65

SEASONAL SEATING, IN CITY R.O.W.	
STREET CAFE	12
ALLEY CAFE	24
TOTAL CAFE SEATING	36

GRAND TOTAL 101



4 EXTERIOR LIGHTING PLAN
scale: 1/8" = 1'-0"



1 MAIN LEVEL FLOOR PLAN
scale: 1/8" = 1'-0"

Project:

BLOOM
NEW BISTRO IN AN EXISTING RESTAURANT SPACE
239 N. OLD WOODWARD AVE., BIRMINGHAM, MI 48009

Seal:

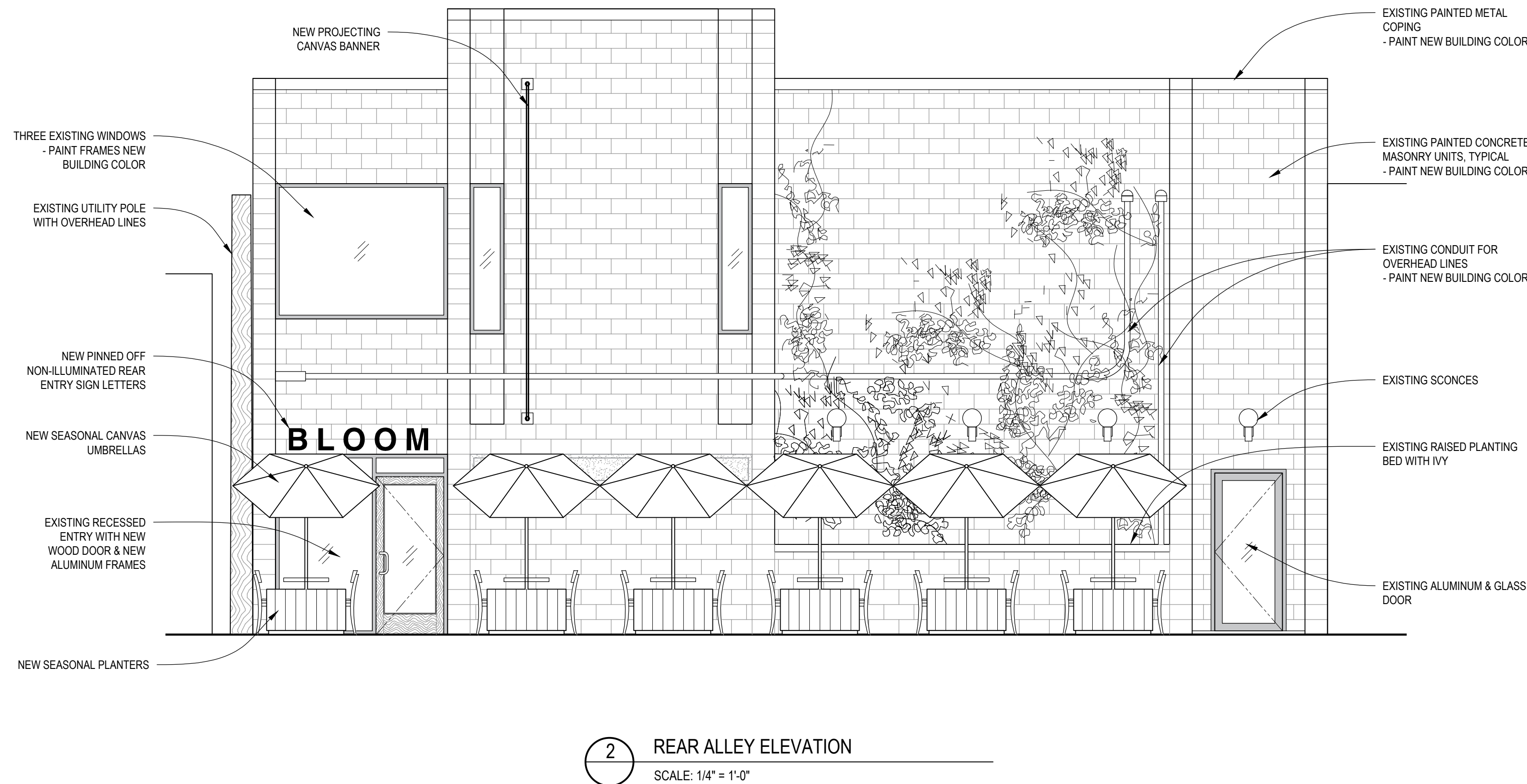
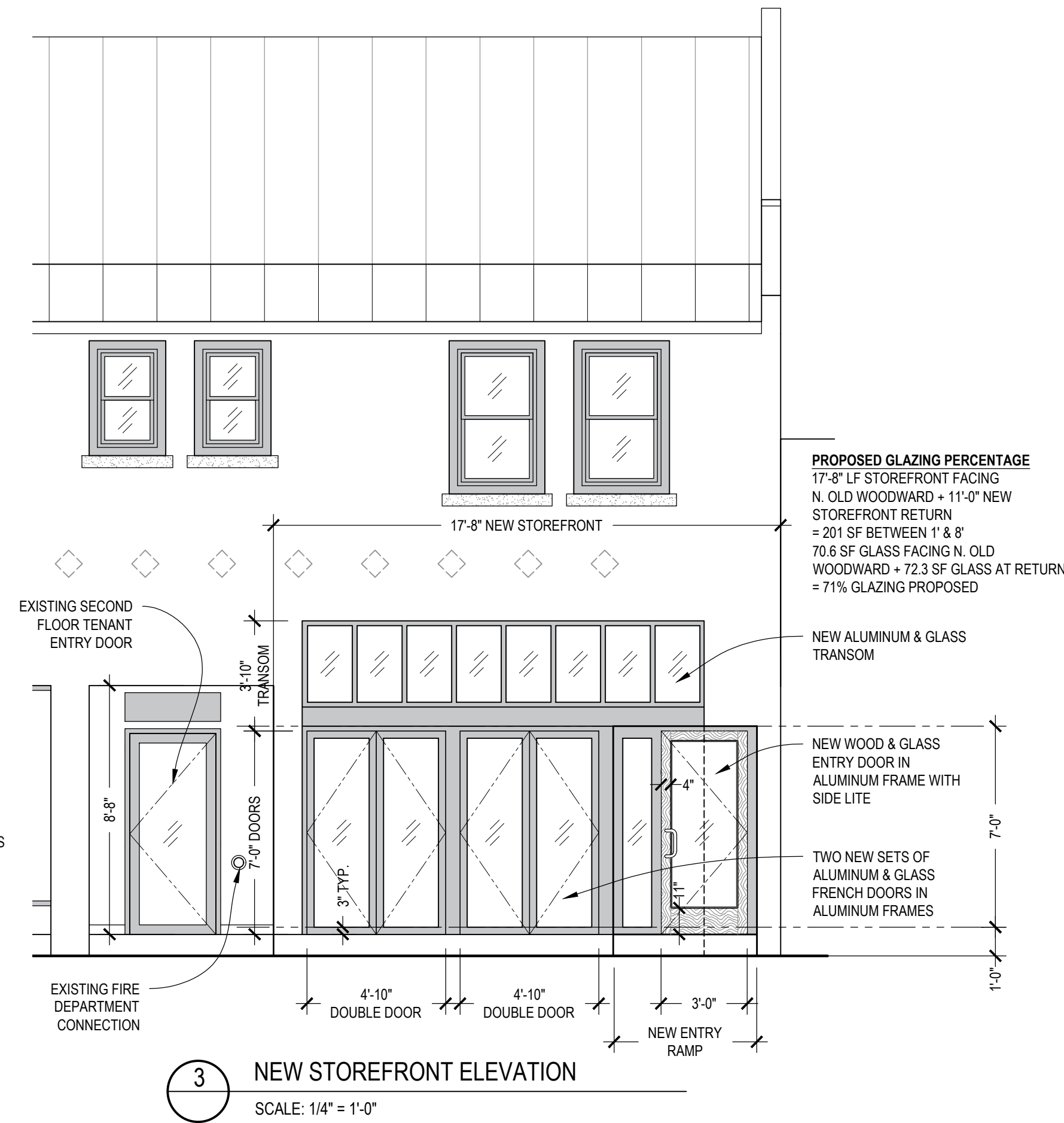
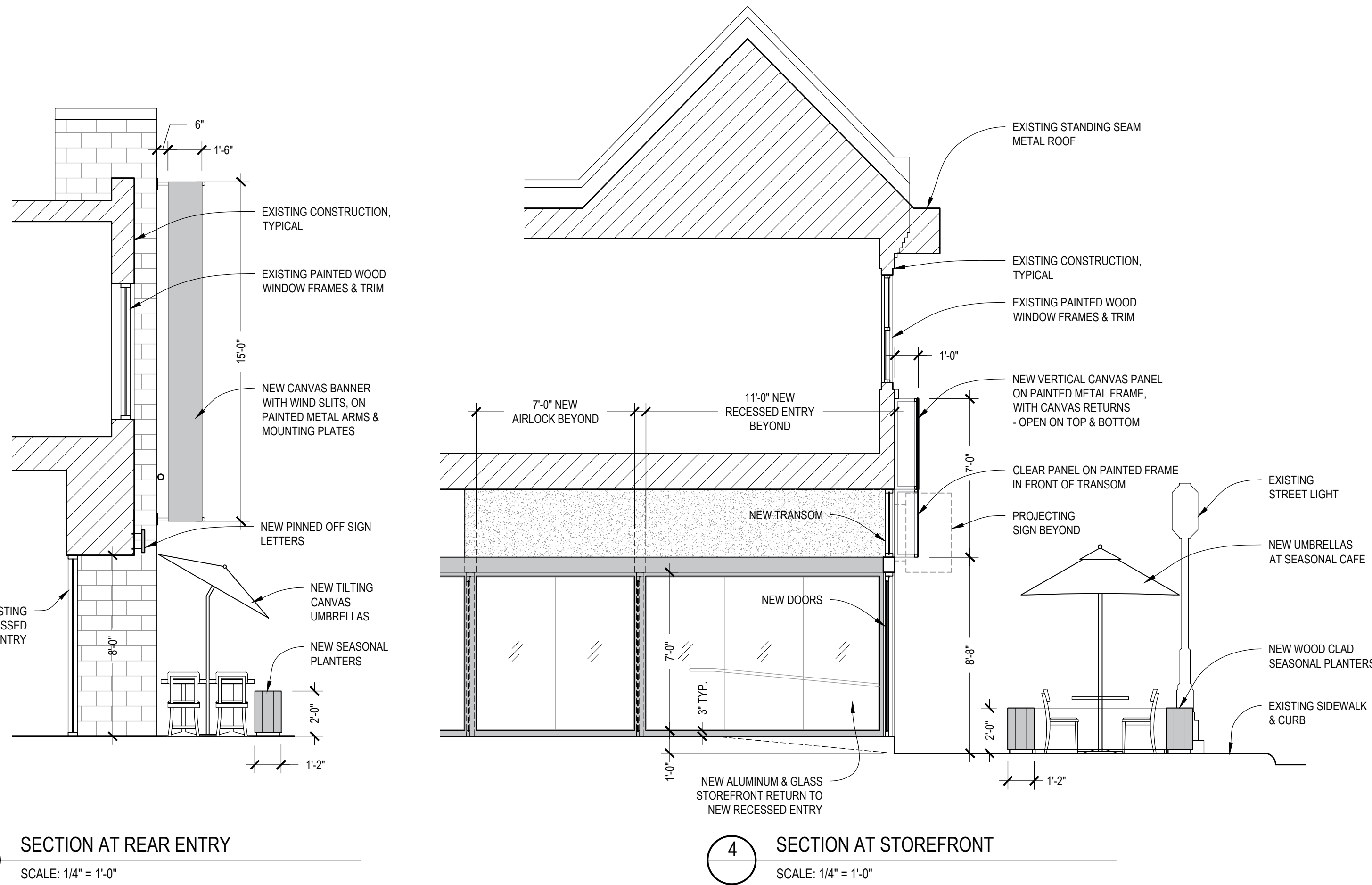
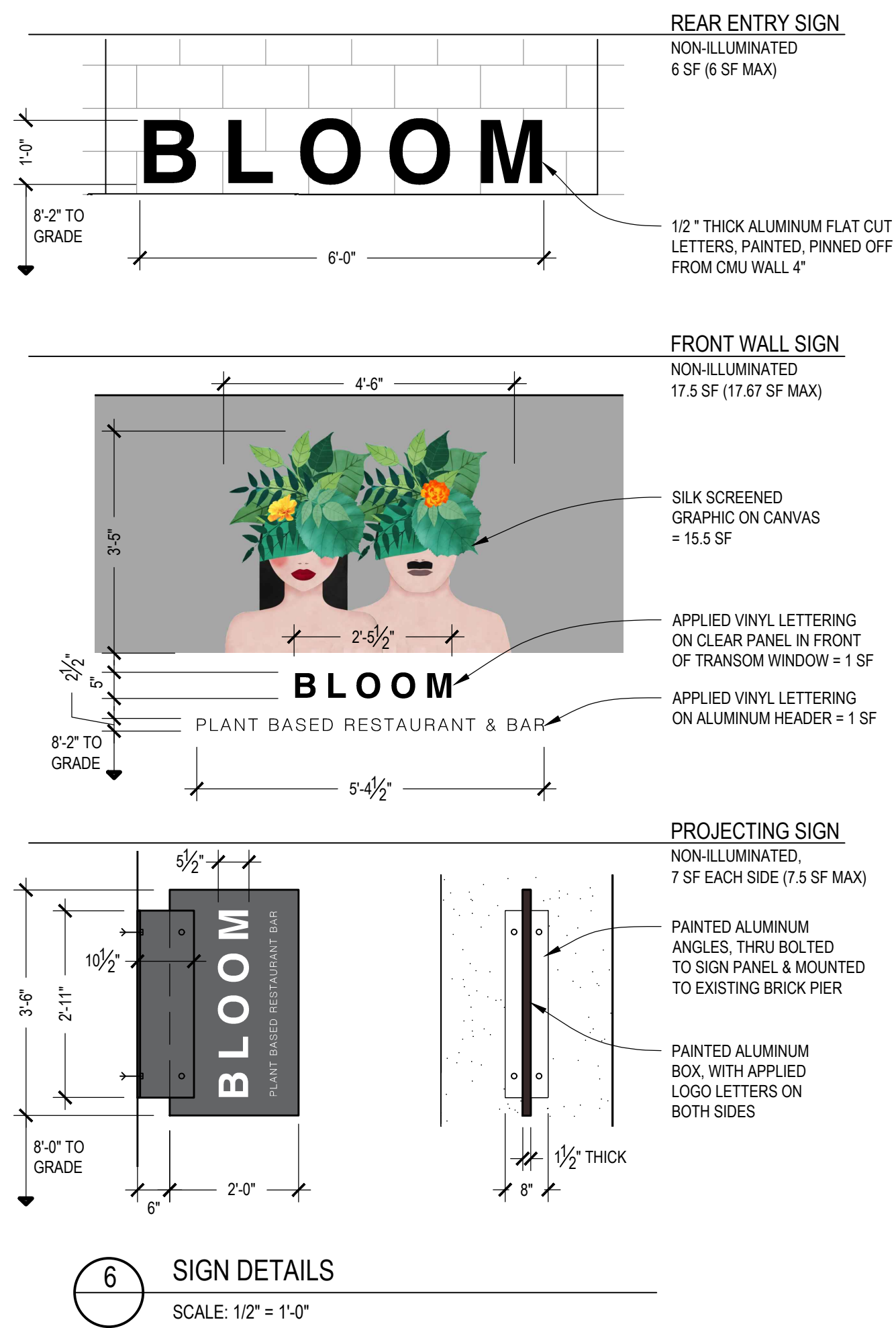
Issue Date:

BISTRO SLUP	5/12/21

Sheet Title:

FLOOR PLANS

Sheet Number:

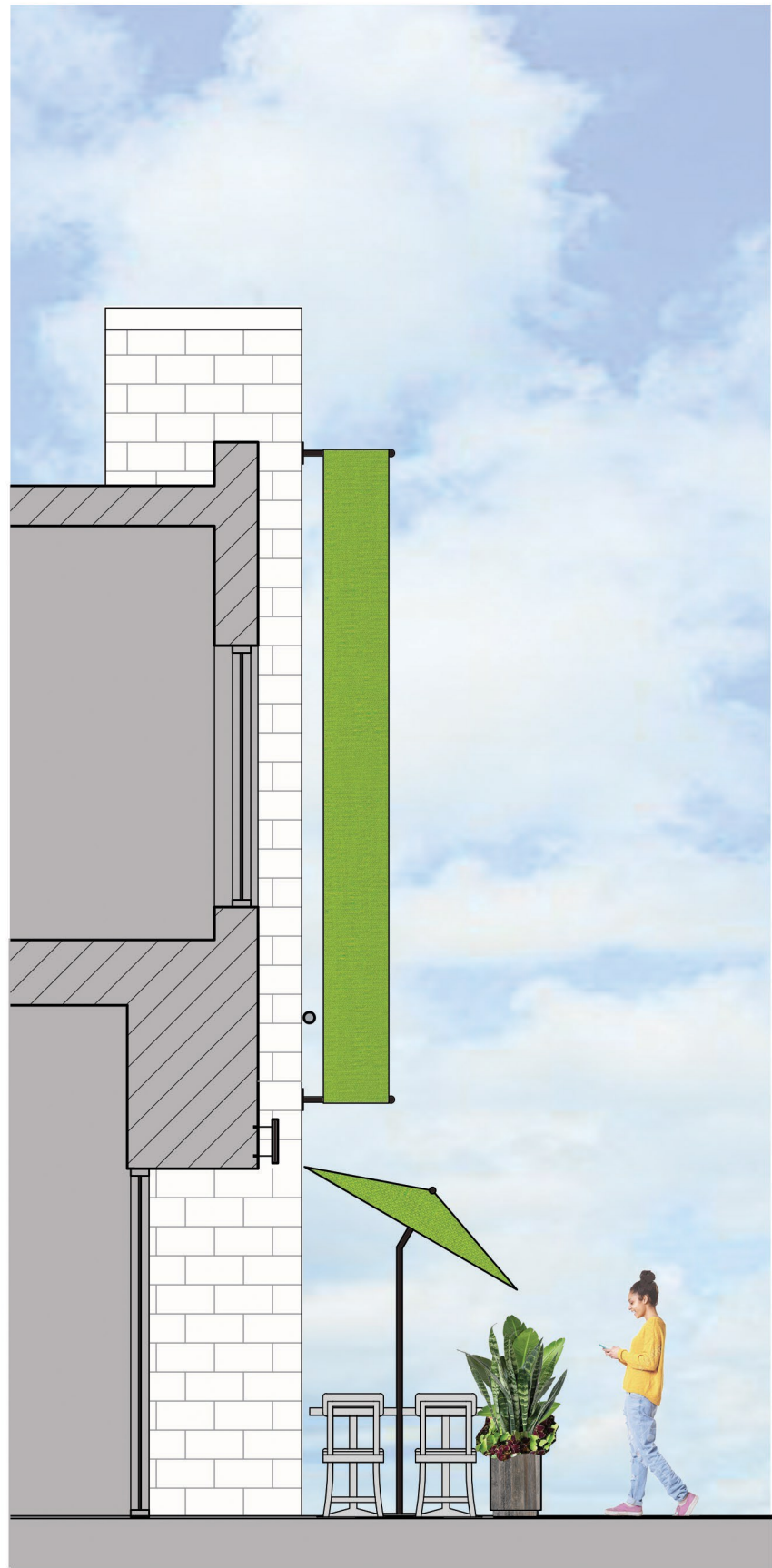


* OTHER BUILDING IMPROVEMENTS SHOWN FOR REFERENCE,
NOT PART OF BISTRO SLUP, NOTED AS "FUTURE" *

BISTRO SLUP	5/12/21



4 SIDE ELEVATION AT FRONT



3 SECTION AT REAR ALLEY

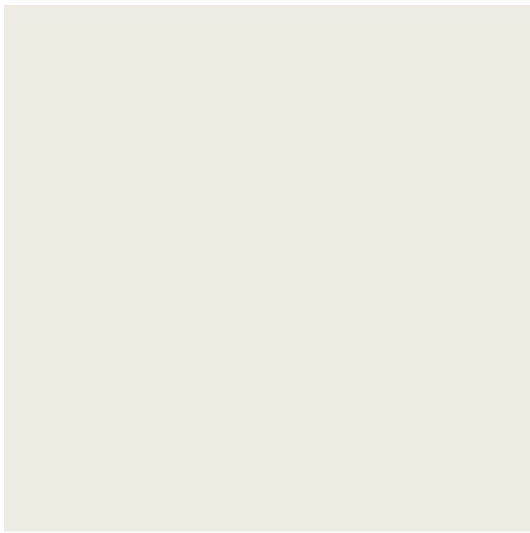


2 REAR ALLEY ELEVATION



1 FRONT ELEVATION





WHITE PAINT COLOR
SHERWIN WILLIAMS "GLACIER WHITE" OC-37



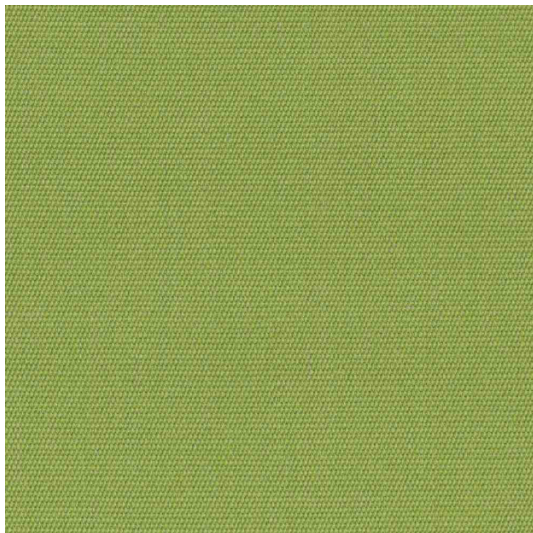
BLACK SIGN BOX & SIGN LETTERS
SHERWIN WILLIAMS "CAVIAR" 6990



COLOR IMAGE PRINTED
ONTO CANVAS



METAL TABLES & CHAIRS
AT SEASONAL PATIO, HONEYDEW COLOR



SUNBRELLA "GINKGO"
CANVAS ON VERTICAL PANEL
& SEASONAL UMBRELLAS



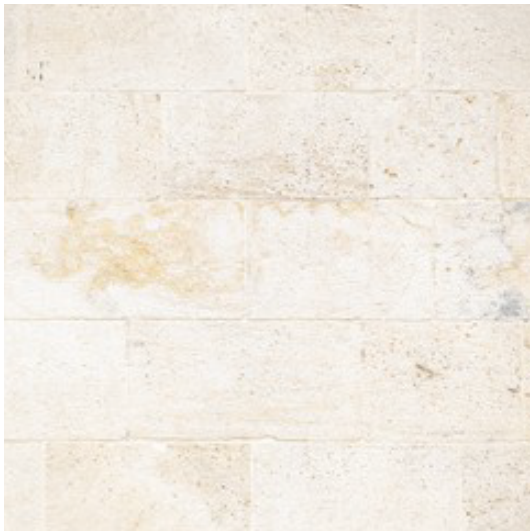
CLEAR VINYL SHEET (EZ2CY) IN CANVAS
BORDER ATTACHED TO METAL FRAME



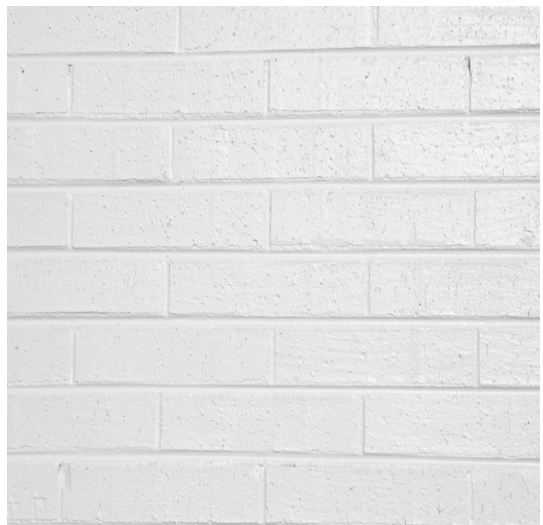
TERRA COTTA ROOF TILES
(PART OF FUTURE BUILDING IMPROVEMENTS)



WHITE PAINTED CONCRETE
MASONRY UNITS, ON ALLEY ELEVATION



LIMESTONE ON FRONT FACADE
(PART OF FUTURE BUILDING IMPROVEMENTS)



WHITE PAINTED BRICK



BLACK ANODIZED ALUMINUM WINDOWS &
DOORS



GRANITE BASE



CLIMBING BOSTON IVY
ON REAR ALLEY ELEVATION



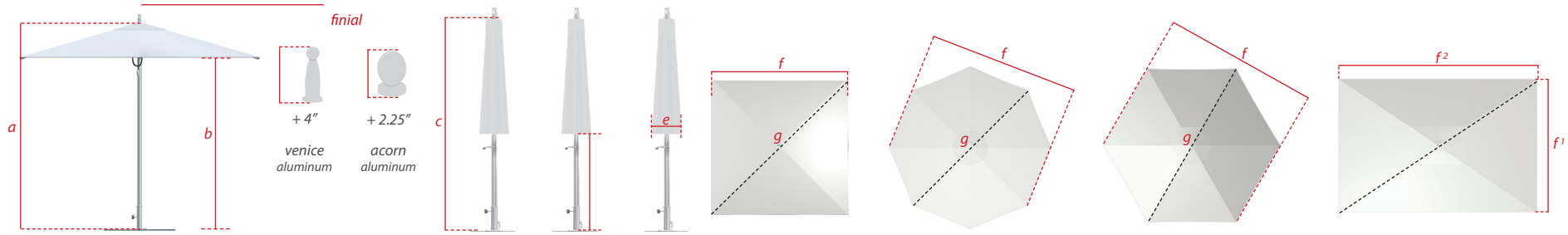
WOOD PLANK CLAD SEASONAL PLANTERS
- NATURAL IPE



SEASONAL PLANTINGS - ASSORTED COLEUS/POTATO VINES, PALMS, BIRD OF PARADISE, SANSEVIA



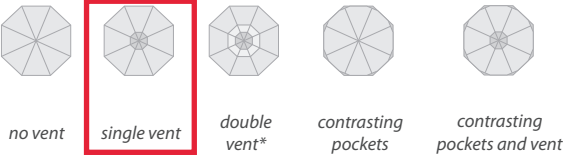
UMBRELLAS, IN SUNBRELLA "GINKGO",
SEASONAL PATIOS



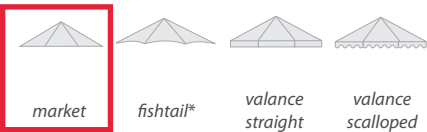
		mast height (open position)	canopy clearance	mast height (closed position)	table clearance	closed parasol width	flat to flat (Open Umbrella)	point to point	canopy area coverage	crank handle clearance
classic	sizes [ft/m]	a (in/cm)	b (in/cm)	c (in/cm)	d (in/cm)	e (in/cm)	f (in/cm)	g (in/cm)	ft²	
square	6.5' / 2.0m	95 / 242	75 / 190	95 / 242	38 / 96	12 / 31	80 / 204	113 / 288	44.5	
	7.5' / 2.25m	95 / 242	73 / 185	95 / 242	32 / 81	13 / 33	88 / 244	124 / 315	54.25	
	8.5' / 2.6m	106 / 210	82 / 208	106 / 270	32 / 81	13 / 33	101 / 257	143 / 363	72	
	10.0' / 3.0m telescoping mast	104.5 / 265	83 / 210	139 / 354	52 / 132	15 / 81	119.5 / 304	169 / 430	99.25	
octagon	9.0' / 2.75m	94 / 188	80 / 203	94 / 188	37 / 94	15 / 81	105.5 / 268	114 / 290	62.75	
	10.5' / 3.2m	94 / 188	77 / 196	94 / 188	32 / 81	16 / 41	115 / 293	125 / 317.5	76.75	
	11.5' / 3.6m telescoping mast	97 / 247	75 / 190	121 / 308	51 / 130	16 / 41	125 / 318	135 / 343	89.5	
	13.0' / 4.0m telescoping mast	102 / 259	77 / 196	130.5 / 331	53 / 135	17 / 43	143 / 363	155 / 394	115	
hexagon	8.5' / 2.6m	95 / 242	78 / 198	95 / 242	36 / 91	11 / 28	98 / 249	113 / 288	57.5	
	10.0' / 3.0m	95 / 242	77 / 196	95 / 242	33 / 84	16 / 41	109 / 277	125 / 317.5	70.5	
	11.0' / 3.4m	99 / 252	77 / 195	99 / 252	30 / 76	12 / 31	117 / 298	135 / 343	82.25	
rectangle	6.0' x 9.0' / 1.8m x 2.75m	98 / 249	76 / 143	98 / 249	29 / 73	13 / 33	f¹ X f² 75x112 191x285	135 / 343	58.25	
	8.0' x 12.0' / 2.45m x 3.65m telescoping mast	100 / 254	87 / 221	134 / 340	48.5 /	52 / 132	f¹ X f² 94x141 239x359	172 / 437	92	

ocean master, plantation, bay master & vineyard classic (cont.)

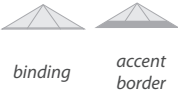
vent and pocket options



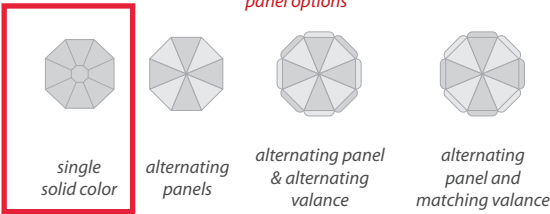
profile options



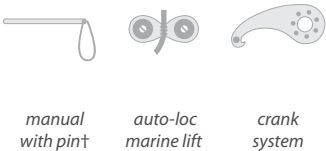
canopy options



panel options



lifting system options



finial

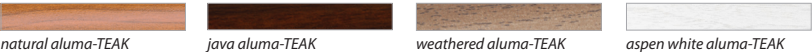


finish options:

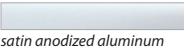
ocean master classic



plantation classic



bay master classic



vineyard classic





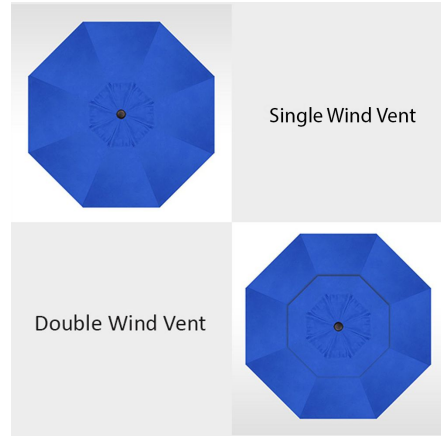
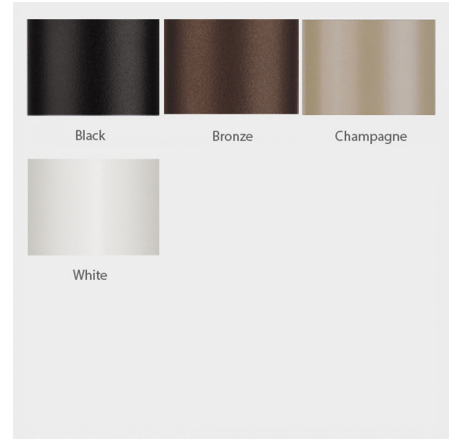
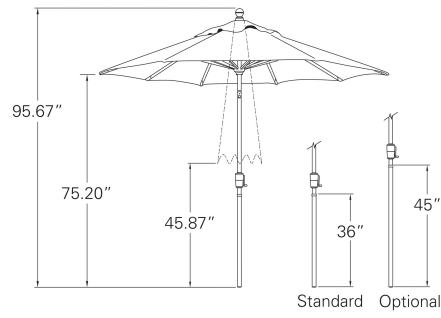
PATIO PRODUCTIONS

Downtown San Diego
2161 Hancock St
San Diego, CA 92110

Phone: 1-888-994-9196

Product Images





Short Description

7.5' Octagon Custom Push Button Tilt Market Umbrella UM907

Additional Information

SKU	UM907
Brand	Treasure Garden
Delivery Estimate	10 - 14 Weeks
Residential Warranty	Frame: 1 Year Sunbrella/Outdura/Docril Fabrics: 5 Years O'bravia Fabrics: 4 Years
Fabric	View Fabric Options
Dimensions	Height: 100.8" Coverage: 46 sq. ft. Top Pole: 1.38" Bottom Pole: 1.5" Weight: 15.4 lbs. Number of Ribs: 8

7.5' Octagon Custom Push Button Tilt Market Umbrella UM907

\$179.00

Orange Metal Indoor-Outdoor Table Set with 2 Stack Chairs

Central Model#: 47K-D42 Brand: Flash Furniture Mfg Part#: CH-31330-2-30-OR-GG



Product Details

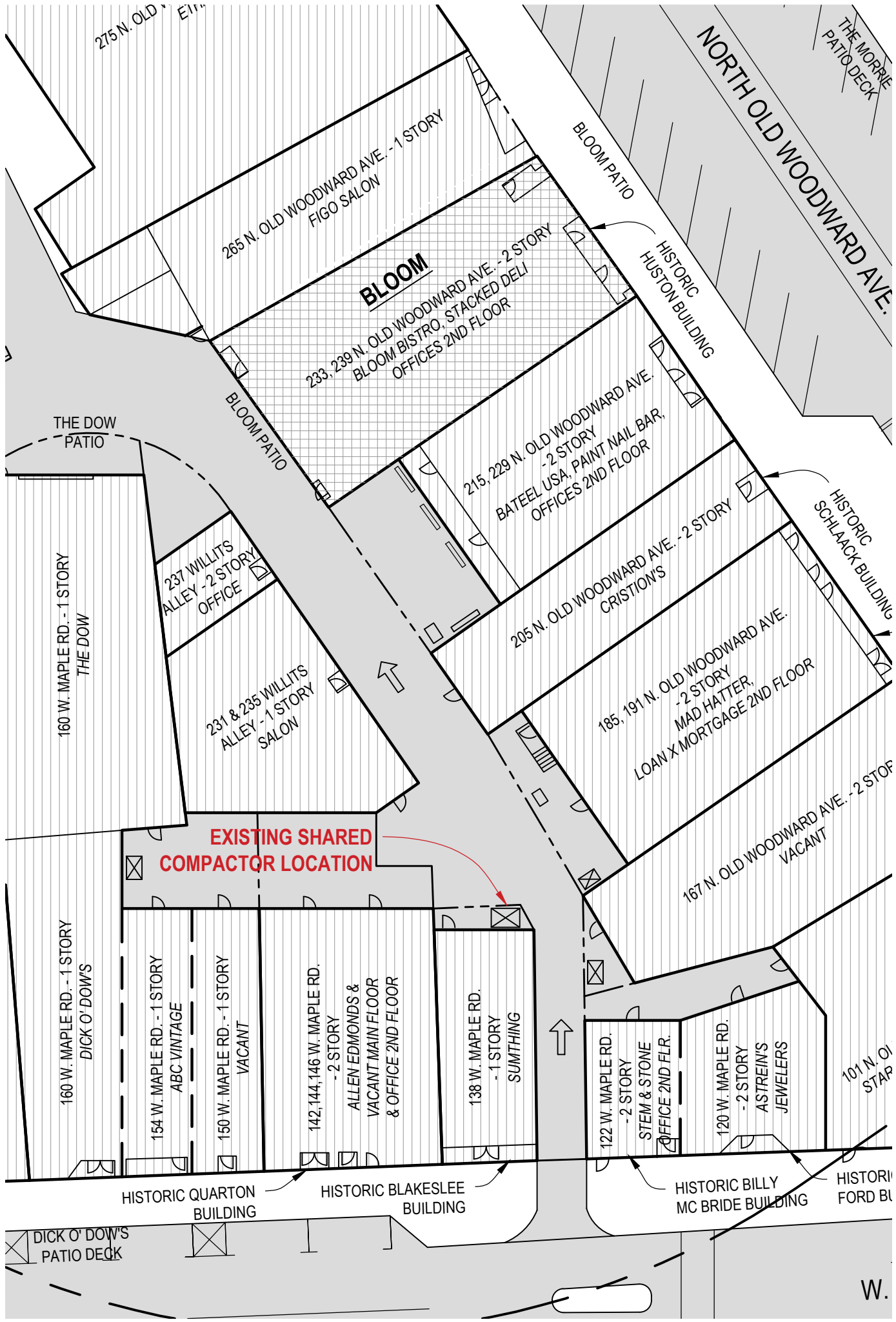
Complete your dining room, restaurant or patio with this chic table and chair set. This colorful set will add a retro-modern look to your home or eatery. The table top features an engraved designer print, stabilizing cross brace and protective rubber floor glides. The lightweight stack chair features plastic caps that prevent the finish from scratching while being stacked. This 3 piece table set is designed for indoor and outdoor settings. For longevity, care should be taken to protect from long periods of wet weather. The possibilities are endless with the multitude of environments in which you can use this table, for both commercial and residential spaces. [CH-31330-2-30-OR-GG]

This Flash Furniture CH-31330-2-30-OR-GG is available from Central Restaurant Products.

Features Include:

- Table and Chair Set
- Set Includes Table and 2 Chairs
- Orange Powder Coat Finish
- Designed for Indoor and Outdoor Use
- Designed for Commercial and Residential Use
- Square Table
- Table Size: 27.75"W x 27.75"D x 29"H
- Engraved Designer Top
- 2" Thick Edge
- Cross Brace provides extra stability
- Protective Rubber Floor Glides
- Stackable Cafe Chair
- Stacks up to 8 Chairs High
- 330 lb. Weight Capacity
- Curved Back with Vertical Slat
- Drain Holes in Seat
- Cross Brace under seat provides extra stability
- Plastic Caps on cross brace protect finish when stacked
- Protective Rubber Floor Glides
- Overall Size: 18"W x 20"D x 33"H

275 E. Frank, Birmingham Mi 48009 248-723-5790/248-723-5795 Fax



275 N. OLD WOODWARD AVE. - 1 STORY

265 N. OLD WOODWARD AVE. - 1 STORY
FIGO SALON

BLOOM

233, 239 N. OLD WOODWARD AVE. - 2 STORY
BLOOM BISTRO, STACKED DELI
OFFICES 2ND FLOOR

BLOOM PATIO

HISTORIC HUSTON BUILDING

NORTH OLD WOODWARD AVE.

THE MORRIE PATIO DECK

THE DOW PATIO

160 W. MAPLE RD. - 1 STORY
THE DOW

237 WILLITS ALLEY - 2 STORY
OFFICE

231 & 235 WILLITS ALLEY - 1 STORY
SALON

215, 229 N. OLD WOODWARD AVE. - 2 STORY
BATEEL USA, PAINT NAIL BAR,
OFFICES 2ND FLOOR

205 N. OLD WOODWARD AVE. - 2 STORY
CRISTION'S

HISTORIC SCHLACK BUILDING

185, 191 N. OLD WOODWARD AVE. - 2 STORY
MAD HATTER,
LOAN X MORTGAGE 2ND FLOOR

167 N. OLD WOODWARD AVE. - 2 STORY
VACANT

EXISTING SHARED COMPACTOR LOCATION

160 W. MAPLE RD. - 1 STORY
DICK O' DOW'S

154 W. MAPLE RD. - 1 STORY
ABC VINTAGE

150 W. MAPLE RD. - 1 STORY
VACANT

142, 144, 146 W. MAPLE RD. - 2 STORY
ALLEN EDMONDS &
VACANT MAIN FLOOR & OFFICE 2ND FLOOR

138 W. MAPLE RD. - 1 STORY
SUNTHING

122 W. MAPLE RD. - 2 STORY
STEM & STONE
OFFICE 2ND FLR.

120 W. MAPLE RD. - 2 STORY
ASTREIN'S JEWELERS

101 N. OLD WOODWARD AVE. - 2 STORY
STAP

HISTORIC QUARTON BUILDING

HISTORIC BLAKESLEE BUILDING

HISTORIC BILLY MC BRIDE BUILDING

HISTORIC FORD BUILDING

DICK O' DOW'S PATIO DECK

W.











bloom

239 North Old Woodward
Birmingham. Michigan.
48009

Proposal for Bistro License
September 30, 2020



bloom
BIRMINGHAM



PLANT BASED CUISINE
IN PARTNERSHIP WITH MATTHEW KENNEY

Submitted by:
Joseph A. Shallal
Mekani, Orow, Mekani, Shallal & Hindo, P.C.
255 South Old Woodward
Suite 310
Birmingham. Michigan. 48009

BLOOM

Green Kitchen, LLC which proposes to do business as “Bloom”, submits this application for a New Bistro license pursuant to the City’s Bistro guidelines. Green Kitchen, LLC. is owned by Winta Tedla. Bloom has a projected opening date of January 2021.

CONCEPT

Bloom will be a destination, plant based, experience dedicated restaurant located at 239 North Old Woodward Road. The concept is driven by a trendy atmosphere and complemented by hand crafted cocktails and Chef intensive, seasonally changing menu, consulted on by Chef Matthew Kenney. The menu reinterprets favorite dishes by many, but executed in a plant driven style, and is complimented by an organic wine and craft cocktail program. This is unique to the immediate and surrounding areas and will draw not only a plant-based clientele, but a forward thinking community who enjoy the social experience, and want to do good for their bodies and their impact on global wellness. Bloom is on the cutting edge for bringing sustainability and wellness to the local community, along with providing a social atmosphere for both locals and visitors. Tedla, an accomplished business woman and philanthropist is enlisting Matthew Kenney to consult on this project, alongside award winning Chef Nina Paletta and Chef Meghan Shaw. Kenney has plant-based restaurants in multiple countries and domestically, including partnerships with Alo Yoga, Saks Fifth Avenue, Kerzner International Hotels, The Four Seasons, and Laduree and flagship locations in Los Angeles and New York City.

Bloom proposes opening for lunch + dinner service 7 days a week; 11am - 10pm, with brunch available on Saturday + Sunday.

TEAM

CONSULTANT

MATTHEW KENNEY CUISINE

Matthew Kenney is one of the world’s first leading chefs at the forefront of plant based cuisine, an author of 12 cookbooks and a best-selling memoir, a culinary educator and CEO of Matthew Kenney Cuisine, a multifaceted lifestyle company specializing in plant-based cuisine throughout several unique markets. In 2009, Kenney founded the world’s first classically structured raw food culinary academy. Matthew Kenney Academy has graduated students from over 30 countries, opening several global pop-up locations and an online program, which operated until 2017. Matthew has also partnered with numerous industry leaders throughout Australia, Europe, South America, and the Middle East in recent years, expanding the presence of MKC in global markets through licensing agreements, culinary consulting, educational events and chef conferences. In the past year, he has given lectures throughout multiple cities in Eastern Australia, hosted by Ovolo Hotels ; was a featured speaker at the Four Seasons Hotels ’ global innovation convention in Florence, Italy; and headed both an informative lecture and cooking demo as a panelist at Mesa Tendências, São Paulo , the largest gastronomic summit in Latin America. His extensive travels have enabled him to develop many strategic partnerships with like-minded entrepreneurs around the world, leading to new ventures in the hospitality and consumer product markets. Currently, Kenney has 28 restaurants operating throughout 15 international cities spanning 5 continents, including PLANT CITY, the world’s first plant-based food hall. Located in Providence, RI. MKC is also involved with an additional 15 restaurants that are currently under construction and located throughout San Francisco; New York City; Palm Beach, FL; San José del Cabo, Mexico; and several cities throughout Europe and the Middle East. The MKC brand has developed many strong licensing relationships with multiple brands, including The Four Seasons Hotels and KWB Ventures, a partnership that produced FOLIA, a fully plant-based menu, designed by Kenney, available to both hotel guests and patrons of in-house dining venues. FOLIA first launched in 2018 at the Los Angeles at Beverly Hills Location, followed by outposts in Bahrain Bay, Dubai, Kuwait and Qatar. The culinary program is expected to expand to an additional 40 FSH locations throughout the Middle East and Europe going forward. Currently, Kenney continues to focus on the strategic growth of his company into additional market segments with an increasingly global consumer reach. His latest passion project is to reinstate an educational component to MKC by rebuilding a global, plant-based culinary academy. Courses will be available both online and on site, where students will learn to develop proprietary cooking skills, cutting-edge techniques, and the ability to create elevated plant-based cuisine. The passionate corporate team at MKC is continuously working to evolve and innovate, whether it be through plant-based gastronomy, new restaurant concepts, consumer product goods, or strategic brand partnerships. Under Kenney’s direction, MKC is rapidly growing as it continues to expand its repertoire of intellectual property and creative content, and pursue excellence in crafting the future of food.

CHEFS

The operators behind this project are plant-based Chefs Nina Paletta and Meghan Shaw, the entrepreneurs responsible for the Detroit-based food outfit, Street Beet. Known for their wildly successful pop-up events throughout Detroit and their full-time restaurant residency inside Midtown's Third Street bar, the pair and their team have been serving up creative, comfort food together for over 3 years. Street Beet holds the Hour Detroit title of "Best Pop-Up Dining Experience" for both 2019 & 2020, ranked as finalists in the Comerica Bank Hatch Detroit contest in 2019, gained recognition at the Forbes 30 under 30 food festival, and gained national credibility in various national publications. Paletta and Shaw lead Street Beet's success in paving a new path for plant-based recognition in the Detroit area with their undeniable approachability and food so delicious, it continues to fool and win the heart of meat eaters and herbivores alike. The culinary duo has gained immense respect for their passion and creativity, and popularity in a digital world with +20k followers.



OWNER

Winta Tedla is an accomplished banker, real estate investor and entrepreneur. Ms. Tedla is the founder of Clear Scope Advisors, Inc., an independent full-service financial advisory firm specializing in charter school facility financing. Prior to starting her firm, Ms. Tedla was a Vice President at Fifth Third Securities, Assistant Vice President of Investment Banking at National City Bank and Oppenheimer & Company. Ms. Tedla has over 20 years of experience in the financial services industry. She has served as the banker on the financing of a wide range of projects for cities, school districts, charter schools and state/local municipal clients providing over \$900 million in financings. Ms. Tedla continues to eye strategic opportunities to complement her portfolio. In doing so, she has ventured into restaurant opportunities in the plant based market segment. Her passion for hospitality, sustainability, eliminating animal cruelty, low carbon footprint and green business practices made this an ideal addition for her. Ms. Tedla is hoping to have a positive impact on the communities she invests in by sharing the good news of healthy eating, healthy living and being a responsible citizen. Tedla has availability to fund this project to completion through personal savings in excess of \$500,000. She currently has the rights and ownership to a Class C Liquor license, which can be transferred to this location in Birmingham.

IMPACT ON CITY

Bloom will open its doors at 239 North Old Woodward, taking over the previous home of Pita Cafe. With relevant updates to the wonderfully located space, Bloom will offer Birmingham it's very first, fully plant based bistro. The heavy presence of gyms, athletic stores and health food markets in Birmingham prove that the city is ready for more health-conscious establishments. Meat-free & dairy-free lifestyle choices are on the rise, and this is undoubtedly the progressive course for a healthier future for our community and our planet. Now more than ever, ethically sourced ingredients are a must. It is our commitment to sourcing, storing and producing the most quality food in the most sanitary working conditions possible. The city of Birmingham deserves a restaurant that caters to our ever changing world, offering food and beverages that reduce our carbon footprint, aid in the fight to end the climate crisis, enhance our overall health, and coincide with the interests of bettering our surrounding community. Bloom aims to be a positive addition to the neighborhood, offering conscious cuisine and an inspired atmosphere to those who stop by. Below is a sample menu + price points.



PLANT BASED



SNACKS.

- KIMCHI DUMPLINGS. 15**
Cashew. Cilantro + Coconut. Red Cabbage.
Ginger Foam. GF R
- SMOKED HUMMUS. 12**
Chickpeas. Smoked Onion. Crudité.
Harissa Za'atar Lavash. NF
- BARBACOA TACO. 5**
Maitake + Oyster Mushrooms. Pepita Cream.
Avocado Puree. Toasted Pepitas. Microgreens. NF
- FLORA ARTISANAL CHEESE PLATE. 22**
Porcini Truffle. Harissa Jack Cheddar. Wine-Soaked
Mascarpone. Fennel Crackers + Condiments. GF R

STARTERS.

- ITALIAN CHOPPED SALAD. 13**
Local Romaine. Marinated Yuba. Salt + Vinegar Cashews.
MightyVine Tomato. Castelvetro Olive. Radicchio.
Smoked Chickpea Provolone. Pickled Chard Stems.
Romanesco. Tahini - Italian Dressing. GF
- THREE BEET CARPACCIO. 12**
Roasted Red + Pink Beets. Sour Golden Beets.
Gotham Greens Lettuce. Pistachio Cream.
Burnt Orange Oil. GF
- CRAB CAKES. 14**
Hearts of Palm. Artichoke. Quinoa. Ancho Aioli. Zucchini
Relish. GF
- BLACK + WHITE FLATBREAD. 17**
Sunchoke Puree. Black Garlic. Macadamia Ricotta. Cured
Black Olives. White Truffle Oil.
Crispy Black Kale.

- CHICKPEA FRITTATA. 12**
House Giardiniera. Gotham Greens. Celery Root.
Fuji Apple. Herbs. Hemp Seeds. Green Goddess. GF NF

MAINS.

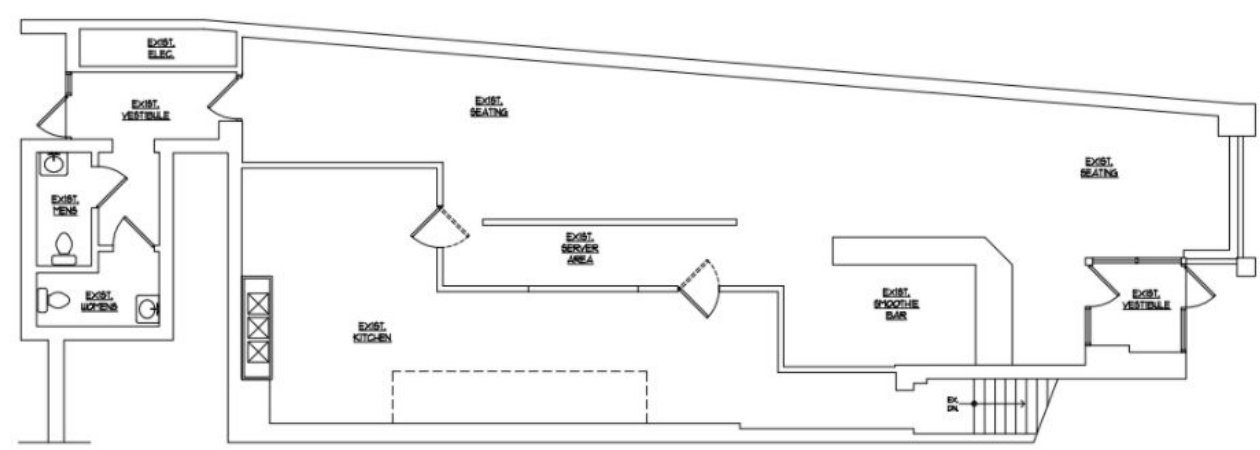
- MIGHTYVINE TOMATO + ZUCCHINI LASAGNA. 21**
Sun Dried Tomato Marinara. Basil Pistachio Pesto.
Macadamia Ricotta. Herb Oil. GF R
- BEET RAVIOLI. 19**
Chestnut Pasta. Macadamia Ricotta. Winter Greens.
Dashi Cream Sauce. GF NF
- SPICY UDON. 19**
Tempeh. Shiitake Mushrooms. Toasted Cashews.
Bok Choy. Watermelon Radish. Togarashi.
- PLANT BURGER. 18**
Sunflower Cheddar. Pickles. Beetroot Ketchup.
Brioche Bun. Roasted Potatoes. NF
- PLANT BOWL. 18**
Quinoa. Black Lentil. Charred Root Vegetables.
Marinated Kale. Avocado. Piquillo Romesco.
Preserved Lemon Tahini. GF
- COCONUT CURRY RISOTTO. 18**
Roasted Delicata Squash. Parsnip Puree.
Maitake Mushrooms. MightyVine Cherry Tomatoes.
Currants. Mint-Cilantro Chutney. GF NF
- KELP NOODLE CACIO E PEPE. 19**
Cashew + Black Pepper Cream. Sugar Snap Peas.
Pea Sprouts. Crispy Oil Cured Olives. GF R

PHILOSOPHY.

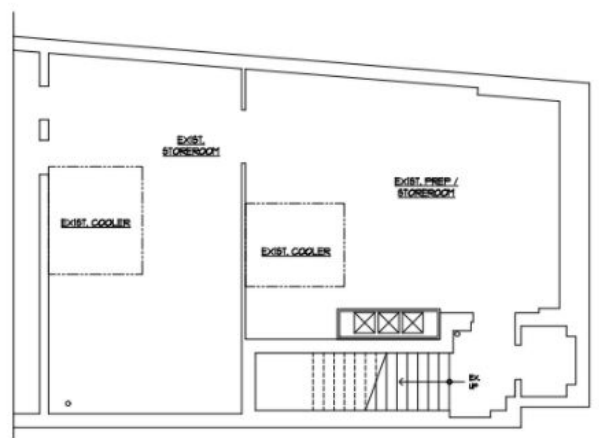
WE SOURCE THE HIGHEST QUALITY fruits, vegetables, nuts + seeds. These ingredients highlight the season's best produce and are the inspiration for our plant-based menu.

WE ARE PLEASED to feature organic plant foods from local producers.

GF - Gluten Free | NF - Nut Free | R - Raw



EXIST. GRADE LEVEL PLAN
SCALE: 1/8" = 1'-0"



EXIST. BASEMENT PLAN
SCALE: 1/8" = 1'-0"

JON SARKESIAN
ARCHITECTS, P.C.
233 N. OLD WOODWARD AVE.
BIRMINGHAM, AL 35203
205.975.1100
www.jonsarkesian.com
SHEET NO. A-2

CAPACITY:
45 interior
10 bar
12 outdoor





City of Birmingham

A Walkable Community

Special Land Use Permit Application - Bistro

Planning Division

1. Applicant

Name: WINTA Tedla
 Address: 1804 MOORS C-I
Bloomfield Hills, MI 48302
 Phone Number: (313) 920-2804
 Fax Number: _____
 Email Address: WTedla@gmail.com

2. Applicant's Attorney/Contact Person

Name: Joseph Shallal
 Address: 255 S. Old Woodward Suite 210
Birmingham, MI 48009
 Phone Number: 248-763-3480
 Fax Number: _____
 Email Address: Josshallal@momshlaw.com

3. Required Attachments

- Warranty Deed with legal description of property
- Floor Plan of Bistro Operation
- Proof of ability to finance the proposed project
- Required fee (see Fee Schedule for applicable amount)
- Photographs of existing site and buildings
- Samples and/or specification sheets of all materials to be used
- Landscape Plan showing all existing and proposed elements
- Catalog sheets for all proposed lighting & outdoor furniture

4. Project Information

Address/Location of Property: 239 N. OLD WOODWARD

Name of Bistro: BLOOM
 PARCELSdwelt #: 08-19-26-378-014
 Current Use: H-2 RESTAURANT
 Proposed Use: A-2 RESTAURANT
 Area in Acres: .049 ACRES (2,148 SF)
 Current Zoning: B-4 W/ D-4 OVERLAY
 Zoning of Adjacent Properties: ALL B-4 SAME
 Is there a current SLUP in effect for this site?: NO

Property Owner

Name: Oxford Land, LLC
 Address: PO Box 414, Troy MI 48099
 Phone Number: 248-362-2870
 Fax Number: 248-362-3011
 Email Address: office@atesian.net

Project Designer/Developer

Name: RON & ROMAN, INC
 Address: 215 E FRANK ST.
BIRMINGHAM, MI 48009
 Phone Number: 248-202-9718
 Fax Number: _____
 Email Address: ROMAN@RONANDROMAN.COM

- Completed Checklist
- Certified Land Survey
- Signed Contract
- Fifteen (15) folded copies of plans including color elevations showing all materials and an itemized list of all changes for which approval is requested with the changes marked in color
- One (1) additional set of plans mounted on a foam board, including a color rendering of each elevation

5. Details of the Nature of Work Proposed (Site plan & design elements)

PAINT BUILDING BRICK & METAL ROOF, FRONT & BACK. REWORK
STOREFRONT & PROVIDE NEW BARRIER FREE ACCESS. NEW
RAISED PEDESTAL @ STOREFRONT LEVEL W/ INTERIOR FLOOR.
NEW SIGNAGE @ FRONT & BACK, NEW LINEAR DOWNLIGHT @
WOODWARD STOREFRONT & NEW PATIO SEATING W/ PLANTERS
& UMBRELLAS @ FRONT & REAR.

6. Buildings and Structures existing on site

Number of Buildings on site: 1
Height of Building & # of stories: 2 STY - 32 FT.

Use of Buildings: MAIN LEVEL RESTAURANTS, UPPER
Height of rooftop mechanical equipment: 5'6" OFFIC

7. Floor Use and Area (in square feet)

Structures:

Restaurant Space: 2148 SF MAIN / 917 SF BSMT -
Office space: APPROX 21,00 SF, N.A. - PREP
Total floor area: 2148 + 917 = 3065 SF FOR BLOOM.

Retail space: -
Number of Residential Units: -
Rental or Condominium: -

8. Bistro Operation

Number of Indoor Seats: 57
Number of Outdoor Seats: 6 ON PROPERTY, 12 STREET
Entertainment Proposed: NO
Years of Experience in Birmingham: 0
Previous LCC Complaints? 0
Tables provided along street façade: YES
Required front setback: 0'
Required rear setback: 0'
Required total side setback: 0'

Type of Cuisine: PLANT BASED
Bar Area? YES
Number of Seats at bar: 7
Years of Experience outside of Birmingham: MK (18 years)
Full Service Kitchen? YES
Percentage of glazing proposed: 71%
Proposed front setback: 0'
Proposed rear setback: 0'
Proposed total side setback: 0'

9. Outdoor Dining Facility

Location (sidewalk right-of-way or on-street parking space): SIDEWALK R.O.W. & ALLEY R.O.W.
Hours of operation: Monday - Sunday 11am - 10 pm
Width of unobstructed sidewalk between door and café (5' required): 5'
Platform proposed: NO.
Trash receptacles: YES.

Number of tables/chairs: STREET R.O.W. 6T & 12 CH.
ON PROP. @ FRONT 2 T & 6 CH, ALLEY R.O.W. 12 T & 24
Material of tables/chairs: METAL & SYNTH. SURF.
Table umbrellas height and material: CANVAS & MET, APPROX 7' CH
Number and location of parking spaces: N.A.
Screenwall material: N.A.
Enclosure material: N.A.

10. Required and Proposed Parking

Number of parking spaces: CBD PARKING -
Location of off site parking: DISTRICT.
Screenwall material: -

Location of parking spaces: -
Shared Parking Agreement?: -
Height of screenwall: -

11. Landscaping

Location of landscape areas: PLANTERS @ STREET
& ALLEY PATIOS.

Proposed landscape material: SEASONAL PLANTINGS.

12. Streetscape

Sidewalk width: N.A.
Number of benches: N.A.
Number of planters: N.A.
Number of existing street trees: N.A.
Number of proposed street trees: N.A.
Streetscape Plan submitted?: N.A.

Description of benches or planters: WOOD CLAD PLANTERS
@ PATIOS.
Species of existing street trees: N.A.
Species of proposed street trees: N.A.

13. Loading

Required number of loading spaces: N.A.
Location of loading spaces on the site: ALLEY

Proposed number of loading spaces: N.A.

14. Mechanical Equipment

Ground Mounted Mechanical Equipment:

Number of ground mounted units: 0
Size of ground mounted units (LxWxH): _____

Location of all ground mounted units: N.A.

Screenwall material: _____

Height of screenwall: _____

Rooftop Mechanical Equipment:

Number of rooftop units: ALL EXISTING
Type of rooftop units: PRE PACKAGE ROOF TOP
UNITS, MAKE UP AIR UNIT &
EXHAUST FANS.

Location of all ground mounted units: N.A.

Size of rooftop units (LxWxH): _____

Screenwall material: EXIST FRONT MANSARD.

Location of screenwalls: ROOF,

Height of screenwall: _____

Percentage of rooftop covered by mechanical units: _____

Distance from units to rooftop units to screenwall: _____

15. Lighting

Number of light standards on building: 1 PROPOSED @ FRONT. Type of light standards on building: LINEAR DOWNLIGHT.
Size of light fixtures (LxWxH): 6" WIDE x 16" LONG Height from grade: 9'-5" @ FRONT.
HIDDEN BEHIND SIGN.
Maximum wattage per fixture: APPROX 15 WATTS LED/FT. Proposed wattage per fixture: T.B.D.
Parking lot lighting: N.A.

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 or Special Land Use Permit. The undersigned further states that they have reviewed the procedures and guidelines for site plan review and Special Land Use Permits in Birmingham and have complied with same. The undersigned will be in attendance at the Planning Board meeting when this application will be discussed.

Signature of Owner: Darren P. Atesian

Date: 3-16-2021

Print Name: Darren P. Atesian

Signature of Applicant: Winta Tedla

Date: 3-16-2021

Print Name: WINTA Tedla

Signature of Architect: R. BOHISLAWSKI

Date: 3/3/21

Print Name: R. BOHISLAWSKI

Office Use Only

Application #: _____ Date Received: _____ Fee: _____

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



MEMORANDUM

Planning Department

DATE: May 18, 2021

TO: Planning Board

FROM: Jana L. Ecker, Planning Director

SUBJECT: 115 Willits – Mare Mediterranean – Special Land Use Permit, Final Site Plan and Design Review

The applicant is proposing to reuse the former Cameron's Steakhouse restaurant for MARE Mediterranean, a new restaurant to operate under an existing Class C quota license. A SLUP is required for the service of alcoholic liquors, which is proposed using a Class C quota liquor license. MARE Mediterranean is not a bistro, and thus there are no specific maximum number of indoor, outdoor or bar seats. Article 7, Section 7.34 of the Zoning Ordinance requires a review and recommendation on the SLUP and Final Site Plan and Design Review by the Planning Board, and then final approval of the City Commission.

MARE Mediterranean is proposed to include 181 indoor seats (including 26 at the existing bar), using the existing furniture from the former Cameron's restaurant. Additional seating outdoors is proposed on a new platform extending into 2 on street parking spaces adjacent to the storefront. The outdoor dining area as proposed includes 38 seats.

The kitchen and bathroom areas of the former Cameron's restaurant will remain as well.

1.0 Land Use and Zoning

- 1.1 Existing Land Use – The existing land use is vacant commercial, with retail, residential Church and parking uses surrounding the proposed restaurant space.
- 1.2 Existing Zoning – The property is currently zoned B-4, Business-Residential, and D-4 in the Downtown Overlay District. The existing use and surrounding uses appear to conform to the permitted uses of each Zoning District.
- 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	Commercial / Retail / Church / Parking	Commercial / Retail	Commercial / Retail / Residential	Commercial / Retail / Residential
Existing Zoning District	R7, Multiple Family & PP, Public Property	B-4, Business-Residential	B-4, Business-Residential	B-4, Business-Residential
Downtown Overlay Zoning District	C, D-3 & P	D-4	D-4	D-4

2.0 Screening and Landscaping

2.1 Screening – No changes are proposed. **However, it should be noted that the former restaurant shared the use of dumpsters with the Willits Building, and these were often moved outside of the building and left with no screening. In accordance with section 90-30 of the City Code, no more than 6 businesses may share trash facilities. Thus, the applicant will be required to provide details on the businesses sharing the trash facility to ensure compliance. Further, in accordance with the Zoning Ordinance, the dumpsters must remain inside the trash room at the rear of the Willits Building or the owners must apply for approval to store them outside and provide a screened enclosure.**

2.2 Landscaping – No changes are proposed.

3.0 Parking, Loading, Access, and Circulation

3.1 Parking – As the subject site is located within the Parking Assessment District, the applicant is not required to provide on-site parking.

3.2 Loading – No changes are proposed.

3.3 Vehicular Access & Circulation - Vehicular access to the building will not be altered.

3.4 Pedestrian Access & Circulation – Pedestrians will have direct access to MARE Mediterranean through the existing entry door off the sidewalk.

- 3.5 Streetscape – No changes are proposed to the permanent streetscape. The required broom finish sidewalk and exposed aggregate sidewalk is existing. There is one pedestrian scale street light along the storefront, and this will remain and be surrounded by an outdoor dining platform. As mentioned above, a new elevated outdoor dining platform is proposed to house 9 four-top tables and 1 two-top table, as well as the required trash receptacle. Two sloped ramps will provide access to the platform from the City sidewalk. The platform is proposed to be enclosed by a 42" railing system. **No specification sheets on the proposed railings have been provided at this time, and will be required prior to review by the City Commission.**

4.0 Lighting

The applicant is not proposing any new lighting for the property.

5.0 Departmental Reports

- 5.1 Engineering Division – The Engineering Department will provide comments before the meeting on May 26, 2021.
- 5.2 Department of Public Services – The DPS has no concerns at this time.
- 5.3 Fire Department – The Fire Department has provided the following comments:
- Please provide any sprinkler, fire alarm, kitchen hood / renovations or modification plans to the AHJ for approval.
 - Field test verification required on all systems involving life safety.
 - Field inspection required for building layout.
 - Final occupant load to be determined in the field by Building Department and Fire Marshal
 - Fire sprinkler and alarm system to remain in service during construction / demolition and all phases.
 - Follow all IFC 2015 code requirements for hot work, construction or demolition practices.
- 5.4 Police Department – The Police Department has no concerns at this time.
- 5.5 Building Division – The Building Division has no building code concerns at this time. A complete code review will be performed when the construction documents are provided for the renovation of the tenant space.

6.0 Design Review

At this time, the applicant is not proposing any design changes to the existing storefront, nor is any signage proposed. As this building is located within the Downtown Historic District, all design changes must be approved by the Historic District Commission.

Outdoor Dining Area

Outdoor cafes must comply with the site plan criteria as required by Article 04, Section 4.41 OD-01, Outdoor Dining Standards. Outdoor cafes are permitted immediately adjacent to the principal use and are subject to site plan review and the following conditions:

1. Outdoor dining areas shall provide and service refuse containers within the outdoor dining area and maintain the area in good order.
2. All outdoor activity must cease at the close of business, or as noted in Subsection 3 below, whichever is earlier.
3. When an outdoor dining area is immediately adjacent to any single-family or multiple-family residential district, all outdoor activity must cease at the close of business or 12:00 a.m., whichever is earlier.
4. All tables and chairs provided in the outdoor dining area shall be constructed primarily of metal, wood, or material of comparable quality.
5. Table umbrellas shall be considered under Site Plan Review and shall not impede sight lines into a retail establishment, pedestrian flow in the outdoor dining area, or pedestrian or vehicular traffic flow outside the outdoor dining area.
6. For outdoor dining located in the public right-of-way:
 - (a) All such uses shall be subject to a license from the city, upon forms provided by the Community Development Department, contingent on compliance with all city codes, including any conditions required by the Planning Board in conjunction with Site Plan approval.
 - (b) In order to safeguard the flow of pedestrians on the public sidewalk, such uses shall maintain an unobstructed sidewalk width as required by the Planning Board, but in no case less than 5 feet.
 - (c) An elevated, ADA compliant, enclosed platform may be erected on the street adjacent to an eating establishment to create an outdoor dining area if the Engineering Department determines there is sufficient space available for this purpose given parking and traffic conditions.
 - (d) No such facility shall erect or install permanent fixtures in the public right-of-way.
 - (e) Commercial General Liability Insurance must be procured and maintained 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. This coverage shall include an endorsement naming the city, including all elected and appointed officials, all employees, all boards, commissions and/or authorities and board members, as an additional insured. This coverage must be primary and any other insurance maintained by the additional insureds shall be considered to be excess and non-contributing with this insurance, and shall include an endorsement providing for a thirty (30) day advance written notice of cancellation or non-renewal to be sent to the city's Director of Finance.

The applicant has provided a trash receptacle within the outdoor dining area as required by Article 04, section 4.41 OD-01 of the Zoning Ordinance. In addition, the applicant has provided proposed business hours for Mare Mediterranean as follows:

Monday – Closed

Tuesday thru Friday – 11:00 a.m. – Midnight
Saturday – 5:00 p.m. to 1:00 a.m.
Sunday – 12:00 p.m. to 10:00 p.m.

The proposed outdoor café is not immediately adjacent to any single-family zoned property.

The applicant has not provided specification sheets for the proposed tables and chairs and will be required to do so prior to review by the City Commission.

No umbrellas are proposed for the outdoor dining area.

A site plan has been submitted with dimensions that show the required 5' clear pedestrian path along the building.

The applicant will be required will be required to obtain an Outdoor Dining License from the City if the SLUP is approved by the City Commission.

Signage

No signage is proposed at this time. **All signage for SLUPs must be approved through the SLUP process.**

7.0 Downtown Birmingham 2016 Overlay District

The site is located within the D-4 zone of the DB 2016 Regulating Plan, within the Downtown Birmingham Overlay District. The Planning Division finds the proposed site plan adequately implements the goals of the plan as they relate to outdoor café uses. The 2016 Plan states that outdoor dining space is in the public's best interest as it enhances street life, thus promoting a pedestrian friendly environment.

8.0 Approval Criteria

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

- (1) The location, size and height of the building, walls and fences shall be such that there is adequate landscaped open space so as to provide light, air and access to the persons occupying the structure.
 - (2) The location, size and height of the building, walls and fences shall be such that there will be no interference with adequate light, air and access to adjacent lands and buildings.
 - (3) The location, size and height of the building, walls and fences shall be such that they will not hinder the reasonable development of adjoining property 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.

9.0 Approval Criteria for Special Land Use Permits

Article 07, 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.

10.0 Suggested Action

Based on a review of the site plans submitted, the Planning Division recommends that the Planning Board POSTPONE the applicant's request for Special Land Use Permit and Final Site Plan & Design Review for 115 Willits – Mare Mediterranean pending receipt of the following:

1. Details on the businesses sharing the trash facilities on site;
2. Detailed sign plans for any proposed business signage, including dimensions, materials and colors;
3. Specification sheets on the proposed tables, chairs, trash receptacle and railing system proposed in the outdoor dining area; and
4. Details regarding trash storage and disposal.

11.0 Sample Motion Language

Based on a review of the plans submitted, the Planning Board recommends **POSTPONEMENT** of the Special Land Use Permit and Final Site Plan & Design Review for 115 Willits – Mare Mediterranean pending receipt of the following:

1. Details on the businesses sharing the trash facilities on site;
-

2. Detailed sign plans for any proposed business signage, including dimensions, materials and colors;
3. Specification sheets on the proposed tables, chairs, trash receptacle and railing system proposed in the outdoor dining area; and
4. Details regarding trash storage and disposal.

OR

Based on a review of the plans submitted, the Planning Board finds that all of the requirements of Article 7, Section 7.27 and Article 7, Section 7.34 have been met. Motion to recommend **APPROVAL** to the City Commission of the Special Land Use Permit and Final Site Plan & Design Review for 115 Willits – Mare Mediterranean with the following conditions:

1. Applicant provide details on the businesses sharing the trash facilities on site;
2. Applicant provide detailed sign plans for any proposed business signage, including dimensions, materials and colors;
3. Applicant provide specification sheets on the proposed tables, chairs, trash receptacle and railing system proposed in the outdoor dining area; and
4. Details regarding trash storage and disposal.

OR

Motion to recommend **DENIAL** of the Special Land Use Permit Amendment and Final Site Plan Review for 115 Willits – Mare Mediterranean for the following reasons:

1. _____



LAW OFFICES

ADKISON, NEED, ALLEN, & RENTROP

PROFESSIONAL LIMITED LIABILITY COMPANY

KELLY A. ALLEN
JESSICA A. HALLMARK
GREGORY K. NEED
G. HANS RENTROP

39572 Woodward, Suite 222
Bloomfield Hills, Michigan 48304
Telephone (248) 540-7400
Facsimile (248) 540-7401
www.ANAfirm.com

OF COUNSEL:
PHILLIP G. ADKISON
KEVIN M. CHUDLER
KATHERINE A. TOMASIK

March 31, 2021

Via Electronic Mail

Jana Ecker, Planning Director
City of Birmingham
151 Martin St.
P.O. Box 3001
Birmingham, MI 48012

**Re: Special Land Use Application for Birmingham Hospitality, LLC d/b/a Mare
Mediterranean**

Dear Ms. Ecker:

Attached is the Special Land Use Application for Birmingham Hospitality, LLC. The required documents have been prepared by Mauro Engineering.

The fee of \$2,800.00 is being hand delivered to your office tomorrow.

The police department application is also being submitted tomorrow.

Please review the SLUP application and let me know when this may be considered by the Planning Board. If you require any further information, it will be immediately provided.

Thank you for your assistance.

Very truly yours,

ADKISON, NEED, ALLEN, & RENTROP, PLLC

Kelly A. Allen

/kjf
Enclosures



Special Land Use Permit Application

Planning Division

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

1. Applicant

Name: Hospitality Birmingham LLC
Address: 115 Willits St, Birmingham, MI 48009

Phone Number: 248-343-3130
Fax Number: 248-733-1050
Email Address: mncontracting@att.net

2. Applicant's Attorney/Contact Person

Name: Kelly A. Allen
Address: 39572 Woodward, Suite 222, Bloomfield Hills, MI 48304

Phone Number: 248-540-7400
Fax Number: 248-540-7401
Email Address: kallen@anafirm.com

3. Required Attachments

- Warranty Deed with legal description of property
- Required fee (see Fee Schedule for applicable amount)
- Fifteen (15) folded copies of plans including a certified land survey, color elevations showing all materials, site plan, landscape plan, photometric plan, and interior plan
- Photographs of existing site and buildings
- Samples of all materials to be used

4. Project Information

Address/Location of Property: 115 Willits Street

Name of Development: _____
Sidwell #: 08-19-25-378-029
Current Use: A-2
Proposed Use: A-2
Area in Acres: _____
Current Zoning: B-1
Zoning of Adjacent Properties: B-1/PP
Is there a current SLUP in effect for this site?: _____
Is property located in the floodplain? _____

Property Owner

Name: Willits Retail LLC
Address: c/o Seligman and Associates Inc.
One Towne Square #1913, Southfield, MI 48076

Phone Number: 248-862-8000
Fax Number: _____
Email Address: rcoopersmith@seligmangroup.com

Project Designer/Developer

Name: Mauro Engineering
Address: 48657 Hayes Road

Phone Number: 586.247.2800
Fax Number: 586.247.2811
Email Address: Simone@mauroeng.com

- Catalog sheets for all proposed lighting, mechanical equipment & outdoor furniture
- An itemized list of all changes for which approval is requested
- Completed Checklist
- Digital copy of plans
- One (1) additional set of plans mounted on a foam board, including a color rendering of each elevation

5. Details of the Nature of Work Proposed (Site plan & design elements)

New outdoor seating patio, within two existing parking spaces and a portion of the sidewalk, in front of the restaurant space. The third allocated space will be a shared valet drop off.
The existing interior space will remain, with small design changes, and now be called, Mare Mediterranean.

[illegible]

11. Streetscape

Sidewalk width: EXISTING 10'-NEW 5' WHERE NEW SEATING DECK
Number of benches: EXISTING 1; TO REMAIN
Number of planters: 0
Number of existing street trees: 1
Number of proposed street trees: 0
Streetscape Plan submitted?: _____

Description of benches or planters: GREEN METAL BENCH

Species of existing street trees: N/A
Species of proposed street trees: N/A

12. Loading

Required number of loading spaces: LOADING IN REAR ALLEY
Typical angle of loading spaces: N/A
Screenwall material: N/A
Location of loading spaces on the site: REAR ALLEY

Proposed number of loading spaces: LOADING IN REAR ALLEY
Typical size of loading spaces: N/A
Height of screenwall: N/A

13. Exterior Trash Receptacles

Required number of trash receptacles: EXISTING TO REMAIN
Location of trash receptacles: REAR ALLEY
Screenwall material: N/A

Proposed number of trash receptacles: EXISTING TO REMAIN
Size of trash receptacles: EXISTING TO REMAIN
Height of screenwall: N/A

14. Mechanical Equipment

Utilities & Transformers:

Number of ground mounted transformers: EXISTING TO REMAIN
Size of transformers (LxWxH): N/A

Location of all utilities & easements: N/A

Height of screenwall: N/A

Number of utility easements: N/A
Screenwall material: N/A

Ground Mounted Mechanical Equipment:

Number of ground mounted units: EXISTING TO REMAIN
Size of ground mounted units (LxWxH): N/A

Location of all ground mounted units: N/A

Height of screenwall: N/A

Screenwall material: N/A

Rooftop Mechanical Equipment:

Number of rooftop units: EXISTING TO REMAIN
Type of rooftop units: N/A

Location of all ground mounted units: N/A
Size of rooftop units (LxWxH): N/A

Height of screenwall: N/A
Percentage of rooftop covered by mechanical units: N/A
Distance from units to rooftop units to screenwall: N/A

Screenwall material: N/A
Location of screenwalls: N/A

15. Accessory Buildings

Number of accessory buildings: _____ Size of accessory buildings: _____
Location of accessory buildings: _____ Height of accessory buildings: _____

16. Building Lighting

Number of light standards on building: N/A EXISTING TO REMAIN Type of light standards on building: EXISTING TO REMAIN
Size of light fixtures (LxWxH): N/A Height from grade: N/A
Maximum wattage per fixture: N/A Proposed wattage per fixture: N/A
Light level at each property line: N/A Number & location of holiday tree lighting receptacles: N/A

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 or Special Land Use Permit. The undersigned further states that they have reviewed the procedures and guidelines for site plan review and Special Land Use Permits in Birmingham and have complied with same. The undersigned will be in attendance at the Planning Board meeting when this application will be discussed.

Signature of Owner: [Signature] Date: 03-24-21

Print Name: S. M. ZIMMERMAN

Signature of Applicant: [Signature] Date: 3/18/21

Print Name: Antonino Cutraro

Signature of Architect: [Signature] Date: 03-16-2021

Print Name: SIMONE MAURO P.E.

Office Use Only

Application #: _____ Date Received: _____ Fee: _____
Date of Approval: _____ Date of Denial: _____ Accepted by: _____



SPECIAL LAND USE PERMIT APPLICATION CHECKLIST – PLANNING DIVISION

Applicant: Hospitality Birmingham LLC Case #: _____ Date: _____

Address: 115 Willits St Project: Mare Mediterranean

All site plans and elevation drawings prepared for approval shall be prepared in accordance with the following specifications and other applicable requirements of the City of Birmingham. If more than one page is used, each page shall be numbered sequentially. All plans must be legible and of sufficient quality to provide for quality reproduction or recording. Plans must be no larger than 24" x 36", and must be folded and stapled together. The address of the site must be clearly noted on all plans and supporting documentation.

Site Plan for Special Land Use Permit

A full site plan detailing the proposed changes for which approval is requested shall be drawn at a scale no smaller than 1" = 100' (unless the drawing will not fit on one 24" X 36" sheet) and shall include:

- _____ 1. Name and address of applicant and proof of ownership;
- _____ 2. Name of Development (if applicable);
- _____ 3. Address of site and legal description of the real estate;
- _____ 4. Name and address of the land surveyor;
- _____ 5. Legend and notes, including a graphic scale, north point, and date;
- _____ 6. A separate location map;
- _____ 7. A map showing the boundary lines of adjacent land and the existing zoning of the area proposed to be developed as well as the adjacent land;
- _____ 8. A list of all requested elements / changes to the site plan;
- _____ 9. Any changes requested marked in color on the site plan and on all elevations of any building(s);
- _____ 10. A chart indicating the dates of any previous approvals by the Planning Board, Board of Zoning Appeals, Design Review Board, City Commission, or the Historic District Committee ("HDC");
- _____ 11. Existing and proposed layout of streets, open space and other basic elements of the plan;
- _____ 12. Existing and proposed utilities and easements and their purpose;
- _____ 13. Location of natural streams, regulated drains, 100-year flood plains, floodway, water courses, marshes, wooded areas, isolated preservable trees, wetlands, historic features, existing structures, dry wells, utility lines, fire hydrants and any other significant feature(s) that may influence the design of the development;
- _____ 14. General description, location, and types of structures on the site;
- _____ 15. Details of existing or proposed lighting, signage and other pertinent development features;
- _____ 16. A landscape plan showing all existing and proposed planting and screening materials, including the number, size, and type of plantings proposed and the method of irrigation; and
- _____ 17. Any other information requested in writing by the Planning Division, the Planning Board, or the Building Official deemed important to the development.

Elevation Drawings

Complete elevation drawings detailing the proposed changes for which approval is requested shall be drawn at a scale no smaller than 1" = 100' (unless the drawing will not fit on one 24" X 36" sheet) and shall include:

- _____ 18. Name and address of applicant and proof of ownership;
- _____ 19. Name of Development (if applicable);
- _____ 20. Address of site and legal description of the real estate;
- _____ 21. A separate location map;
- _____ 22. Legend and notes, including a graphic scale, north point, date and all relevant dimensions;
- _____ 23. Color elevation drawings showing the proposed design for each façade of the building;
- _____ 24. Itemized list of all materials to be used, including exact size specifications, color, style, and the name of the manufacturer; and
- _____ 25. Elevation drawings of all screenwalls to be utilized in concealing any exposed mechanical or electrical equipment, trash receptacle areas and parking areas;
- _____ 26. Details of existing or proposed lighting, signage and other pertinent development features;
- _____ 27. A list of any requested design changes;
- _____ 28. Location of all exterior lighting fixtures, exact size specifications, color, style and the name of the manufacturer of all fixtures, and a photometry analysis of all exterior lighting fixtures showing light levels to all property lines; and
- _____ 29. Any other information requested in writing by the Planning Division, the Planning Board, or the Building Official deemed important to the development.



Notice Signs - Rental Application Community Development

1. Applicant

Name: Hospitality Birmingham LLC
Address: 115 Willits St. Birmingham, MI 48009
Phone Number: 248-343-3130
Fax Number: 248-733-1050

Property Owner

Name: Willits Retail LLC
Address: c/o Seligman and Associates Inc.
One Towne Square #1913, Southfield, MI 48076
Phone Number: 248-862-8000
Fax Number: _____

2. Project Information

Address/Location of Property: 115 Willits St.
Name of Development: Mare Mediterranean
Area in Acres: _____

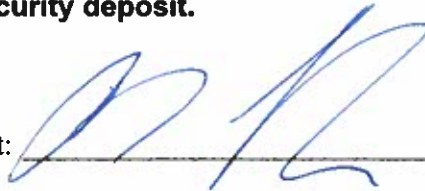
Name of Historic District site is in, if any: N/A
Current Use: _____
Current Zoning: _____

3. Date of Board Review

Board of Building Trades Appeals: _____
City Commission: _____
Historic District Commission: _____
Planning Board: _____

Board of Zoning Appeals: _____
Design Review Board: _____
Housing Board of Appeals: _____

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: 3-31-21

Office Use Only

Application #: _____ Date Received: _____ Fee: _____

Date of Approval: _____ Date of Denial: _____ Reviewed by: _____



Fee Schedule

Administrative Approval	\$100.00
Board of Zoning Appeals* - Single Family Residential - All Others	\$310 \$510
Community Impact Study Review*	\$2,050
Design Review*	\$350
Lot Division*	\$200 / parcel affected
Historic District Review* - Single Family Residential District - All other zone districts	No charge \$350
Public Notice Sign	\$100 / refundable deposit \$50 fee
Site Plan Review* - R4 through R8 zone district - Nonresidential districts	\$850 plus \$50 per dwelling unit \$1050 plus \$50 per acre or portion of acre
Special Land Use Permit* - Plus Site Plan Review - Plus Design Review - Plus Publish of Legal Notice - Plus sign rental and deposit	\$800 \$1050 \$350 \$450 \$150 Total fee: \$2800
Special Land Use Permit Annual Renewal Fee	\$200.00
Temporary Use Permit	\$100
Zoning Compliance Letter	\$50
Zoning Ordinance Amendment Hearing (Rezoning)*	\$1500

***Require public notice sign to be posted (\$150 – rental fee & deposit)**

The fees for design review, site plan review, historic district review and special land use permits shall be double the listed amounts in the even the work is commenced prior to the filing of an application for review by the City of Birmingham.

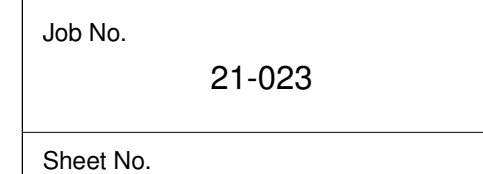
Ordinance No. 1751 (Appendix A, Section 7.38 of the Birmingham City Code)

CLIENT:	HOSPITALITY BIRMINGHAM LLC ATTENTION: NINO CUTRARO 248.343.3130
PROJECT LOCATION:	115 WILLITS STREET, BIRMINGHAM, MI 48009
DATE:	MARCH 2021
SCALE:	As indicated

Mauro Engineering

Development & Building Solutions • Civil Engineers • Designers • Planners

46057 HAYES ROAD, SHELBY TOWNSHIP, MI 48315
PH: (580) 247-2500 FAX: (580) 247-2811

[illegible]

A2

TOTAL PROPOSED OCCUPANCY: 269 PROPOSED

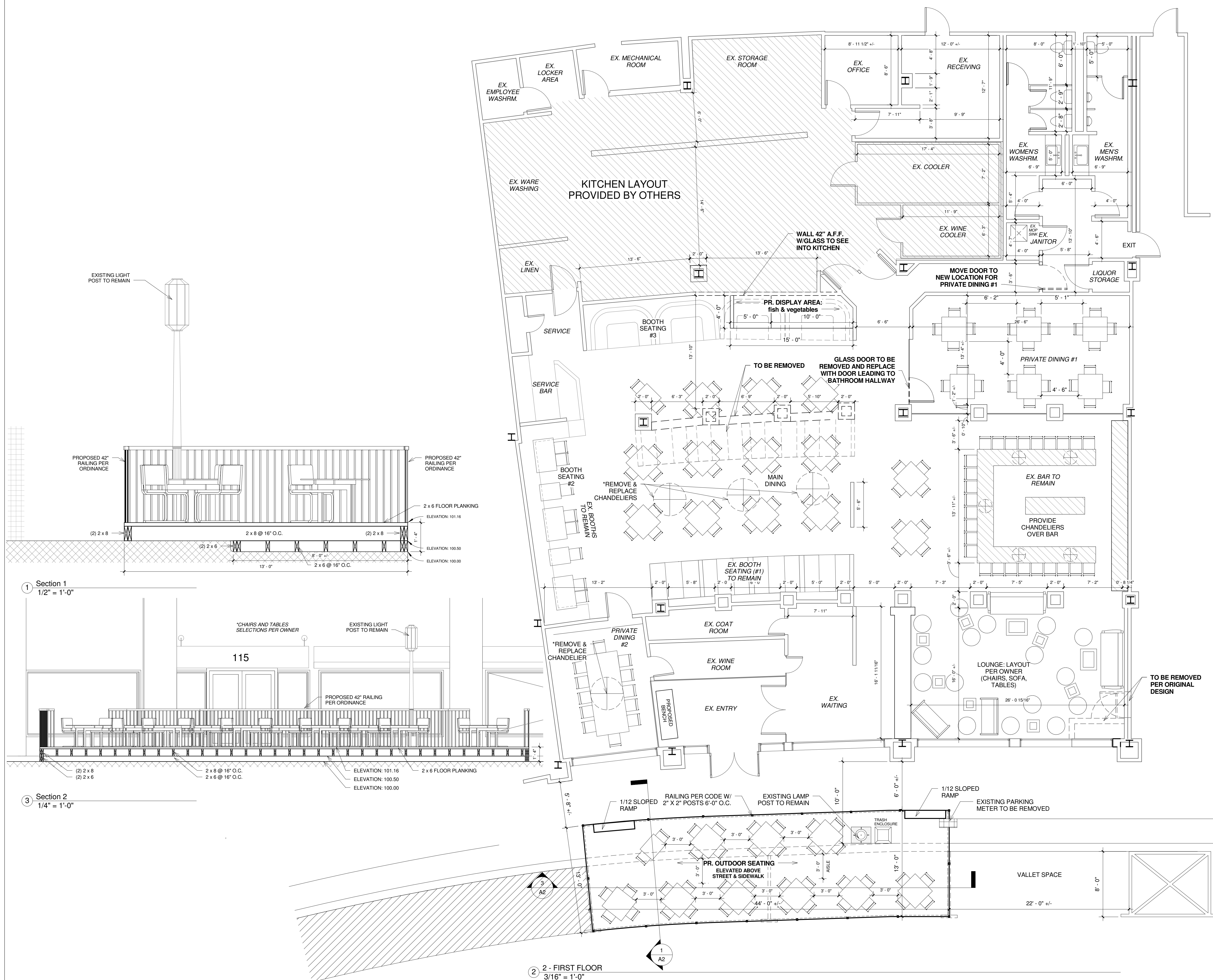


EXHIBIT "C"

TENANT'S MENU

From the Raw Bar

"Tartare al Mare"

Big Eye Tuna - Micro basil, serrano chili, orange
Wild Salmon - Fresno chili, cilantro

Whole Fish Chef Select "Sashimi Style" raw* MKP
Lime and cilantro and Lemon and thyme

Ceviche*

Loop de mer, tuna, lemon and fresh herbs

Crudo*

Chef's plate - a selection of raw fish sashimi style

Appetizers

Grilled Octopus

Served on fave bean puree

Calamari

Lightly fried squid with lemon olive oil dipping sauce

Maryland Blue Crab Cakes

Jumbo lump crab, bread crumbs and herbs topped with horseradish
sauce

Beef Tartare*

Prime raw beef and herbs

Beef Kabob
Grilled beef tenderloin pieces

Madagascar Shrimp
Sautéed in white wine, olive oil, herbs

Baked Stuffed Pastry
"Seafood" medley in béchamel or
"Veal" bechamel

From The Mare

"Whole Fish al Mare" MK per lb.
"Off the Grill" or "Baked under a bed of Sea Salt"
or "Off the Grill and Table Flambé"

Norwegian Wild Salmon
Baked in puff pastry

Whole Steamed East Coast Lobster MK per lb.
served with lemon and butter

Big Eye Tuna
Lightly seared rare or blue

Day Boat Scallops
Seared in brandy and butter

Fillet of Bronzino
Lightly floured and pan seared sea bream

Sword Fish Hawaii

Black Cod

Exhibit C – Page 2

"The Mare" and Couscous
A Medley of Shrimp, clams, mussels, calamari and monk fish in a light
tomato sauce

Paella Marisco "for 2"
An array of seafood - clams, shrimp, scallops, mussels in rice, peas
a Spanish tradition

From The Land

Colorado Lamb Chops
Grilled to order

NY Strip Steak Bone-in 18 oz. , American Wagyu
Grilled to order

Fillet Mignon 8 oz.
Grilled to order

Spaghetti Primavera
An array of seasonal vegetables in a light cream sauce tossed with
spaghetti

Chicken Moroccan
Chicken thigh and leg braised in traditional Moroccan tangine style of
cloves, lemon, onion served over a bed of couscous

Salads and Vegetables

Greek Salad
Tomatoes, cucumbers, onion, olives and Feta cheese in extra virgin
olive oil

Mixed Greens
Romaine, baby greens, carrot, fennel in balsamic vinaigrette

Heirloom Beet Salads
Oven roasted tricolored beets tossed in olive oil

Fingerling Potatoes oven roasted

Zucchini & Eggplant Tower
Lightly fried with tzatziki

Wild Mushrooms
An array of sautéed wild mushrooms

Grilled Vegetables
An array of seasonal vegetables



MEMORANDUM

Planning Division

DATE: May 21, 2021

TO: Planning Board

FROM: Jana L. Ecker, Planning Director

SUBJECT: 176 S. Old Woodward, Sushi Japan – Special Land Use Permit and Final Site Plan Review

Executive Summary

The subject site is located at 176 S. Old Woodward Street, in the former 2941 Mediterranean Streetfood space. The parcel is zoned B4 (Business Residential) and D4 in the Downtown Birmingham Overlay District. The applicant is seeking approval to operate a new bistro named SUSHI JAPAN.

Thus, at this time the applicant is seeking approval of a Bistro License under Chapter 10, Alcoholic Liquors, of the City Code to allow the service of alcoholic beverages in the proposed bistro. Chapter 10 requires that the applicant obtain a Special Land Use Permit and approval from the City Commission to operate an establishment with a Bistro License within the City of Birmingham. 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, Special Land Use Permit, and for the operation of a Bistro License.

1.0 Land Use and Zoning

- 1.1 Existing Land Use – Sushi Japan is proposed in the existing two story portion of the Merrillwood Building. The most recent tenant was 2941 Mediterranean Streetfood on the ground floor where Sushi Japan is proposed.
- 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	Retail, Commercial & Residential	Retail, Commercial & Residential	Retail, Commercial & Residential
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 of the existing building. The proposed bistro use is permitted in the B4 zone district.

3.0 Bistro Requirements

Article 9, section 9.02, Definitions, of the Zoning Ordinance defines a bistro as a restaurant with a full service kitchen with interior seating for no more than 65 people and additional seating for outdoor dining. Sushi Japan is proposing 54 seats in the main dining room, including 6 seats at the bar. A total of 18 outdoor dining seats are proposed; 12 immediately adjacent to the building, and 6 seats east of the sidewalk next to the curbline and on street parking zone. Sushi Japan will be a new restaurant applying for a new bistro license.

The Zoning Ordinance permits bistros in the Downtown Birmingham Overlay District, provided the following conditions are met:

- (a) No direct connect additional bar permit is allowed and the maximum seating at a bar cannot exceed 10 seats;
- (b) Alcohol is served only to seated patrons, except those standing in a defined bar area;
- (c) No dance area is provided;
- (d) Only low key entertainment is permitted;
- (e) Bistros must have tables located in the storefront space lining any street, or pedestrian passage;
- (f) A minimum of 70% glazing must be provided along building facades facing a street or pedestrian passage between 1' and 8' in height;

- (g) All bistro owners must execute a contract with the City outlining the details of the operation of the bistro; and
- (h) Outdoor dining must be provided, weather permitting, along an adjacent street or passage during the months of May through October each year. Outdoor dining is not permitted past 12:00 a.m. If there is not sufficient space to permit such dining on the sidewalk adjacent to the bistro, an elevated, ADA compliant, enclosed platform must be erected on the street adjacent to the bistro to create an outdoor dining area if the Engineering Department determines there is sufficient space available for this purpose given parking and traffic conditions.

As stated, Sushi Japan is proposing 6 seats at a bar located at the back of the bistro. No direct connect additional bar permit will be permitted from this license if approved. Alcohol may only be served to seated patrons and those standing in the bar area. The applicant has provided a designated bar area, which includes 6 seats at the bar and standing room behind the seating.

Sushi Japan does not propose any dancing or entertainment.

Sushi Japan is proposing to have 54 seats in the restaurant, including dining tables in the storefront space lining S. Old Woodward. A total of 8 seats line the storefront space along N. Old Woodward. **The applicant is proposing to maintain the existing storefront, which has a glazing percentage of 65% between 1' and 8' above grade. The applicant will be required to increase the storefront glazing to 70% or obtain a variance from the Board of Zoning Appeals.** However, in accordance with Article 4, section 4.90 of the Zoning Ordinance and to allow flexibility in design, the Planning Board may modify the glazing requirements by a majority vote provided that the following conditions are met:

- a. The subject property must be in a zoning district that allows mixed uses;
- b. The scale, color, design and quality of materials must be consistent with the building and site on which it is located;
- c. The proposed development must not adversely affect other uses and buildings in the neighborhood;
- d. Glazing above the first story shall not exceed a maximum of 70% of the façade area;
- e. Windows shall be vertical in proportion.

Thus, the Planning Board may vote to modify the glazing requirements for Sushi Japan upon finding that each of the above requirements are met.

The applicant will be required to enter into a contract with the City that must be fully executed upon approval of the SLUP and bistro license.

As required, Sushi Japan is proposing outdoor dining along S. Old Woodward. A total of 18 outdoor dining seats are proposed, of which 12 are proposed immediately adjacent to the building, and 6 of which are proposed east of the sidewalk along the curb line next to the on street parking zone. The outdoor dining areas are proposed to be enclosed with a combination of landscape planters and 42" high steel railings powder coated in black. All 4 planters

proposed are constructed of steel. The two planters adjacent to the building 14" in height, and the 2 proposed next to the on street parking are taller, however a specific height was not provided. Trellis' are proposed for the two planters adjacent to the building, and plantings of English Ivy, Mandevilla Climbing vine, Verbenum, ZZZ Plant, Impatiens and Petunias are proposed. The combined height of each planter/trellis/plantings will not exceed 42" in height. **The applicant will be required to replace the proposed English Ivy with another plant, as English Ivy is a prohibited planting in accordance with landscape standards of the Zoning Ordinance.**

The applicant has advised that the proposed hours of operation for Sushi Japan are as follows:

Monday - Thursday, 11:00 a.m. – 10:30 p.m.
Friday, Saturday, 11:00 a.m. – 11:00 p.m.
Sunday, 11:00 a.m. – 9:30 p.m.

4.0 Screening and Landscaping

- 4.1 Mechanical Screening –The applicant is proposing to use existing mechanical equipment on the rear of the building previously used by 2941 Mediterranean Streetfood. The only addition is a new exhaust fan on the top of existing ductwork. **None of the existing mechanical equipment is screened. The Planning Board may wish to have all mechanical equipment visible from the alley painted to match the color of the brick on the rear wall of the building.** No new rooftop mechanical equipment is proposed.
- 4.2 Dumpster Screening – The application does not include the addition of a new dumpster or enclosure. **The applicant intends to share the use of the existing trash dumpsters behind the Merrillwood Building, which are currently unscreened. However, in accordance with section 90-30 of the City Code, no more than 6 businesses may share trash facilities. Thus, the applicant will be required to provide details on the businesses sharing the trash facility to ensure compliance.**
- 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 is currently 1 street tree existing along the frontage of 176 S. Old Woodward, and this tree is proposed to remain. In accordance with Article 4, section 4.20 LA-01; street trees are required along all streets, at a rate of at least 1 street tree / 40' of street frontage unless it is determined by the staff arborist not to be feasible. This requirement has been met.

The applicant is also proposing the addition of 4 steel planters, with plantings of English Ivy, Mandevilla Climbing Vine, Verbenum, ZZZ Plant, Impatiens and Petunias. The combined height of each planter/trellis/plantings will not exceed 42" in height. **The applicant will be required to replace the proposed English Ivy with**

another plant, as English Ivy is a prohibited planting in accordance with landscape standards of the Zoning Ordinance.

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. However, the site plan shows one designated parking space behind the building off of the Pierce Street alley.
- 5.2 Loading – No loading spaces are required for the proposed bistro as it is less than 5,000 sq.ft. in size.
- 5.3 Vehicular Access & Circulation – There is a small parking lot to the rear of the building adjacent to the Merrillwood Building off of the Pierce Street alley, where 1 parking space has been designated for use by Sushi Japan. Most patrons that will arrive at Sushi Japan will park on the street or in a City parking garage to access the proposed bistro.
- 5.4 Pedestrian Access & Circulation – There is a City sidewalk running along S. Old Woodward that provides access to the front door for Sushi Japan. The applicant is proposing to maintain the required 5' of pedestrian pathway along the public sidewalk.
- 5.5 Streetscape – As stated above, there is an existing sidewalk along S. Old Woodward. The applicant is proposing to maintain a continuous 5' wide pedestrian pathway between the outdoor dining areas. The sidewalk is broom finish concrete, and the furnishing zone between the sidewalk and the curb is currently exposed aggregate concrete as required. There are no City standard benches, trash receptacles or pedestrian scale street lights existing in front of the proposed Sushi Japan storefront, nor are any proposed.

6.0 Lighting

The application submitted for Sushi Japan bistro states that there are 4 existing "wall washer" lights located on the east elevation, spaced between the existing door and windows. These existing lights do not appear to be cut off fixtures. No new lighting is proposed.

7.0 Departmental Reports

- 7.1 **Engineering Division** – The Engineering Department will provide comments for the May 26, 2021 Planning Board meeting.
 - 7.2 **Department of Public Services** – The DPS will provide comments for the May 26, 2021 Planning Board meeting.
 - 7.3 **Fire Department** – The Fire Department has no concerns regarding this proposal.
-

7.4 **Police Department** - The Police Department has no concerns regarding this proposal.

7.5 **Building Department** –The Building Department has no concerns at this time.

8.0 Design Review

The applicant has provided photos of the storefront of the portion of the two story building in which Sushi Japan is proposed. The black awnings on the Sushi Japan façade were approved as part of the exterior renovations for the Merrillwood Building as a whole several years ago. In addition, the Sushi Japan sign was approved administratively through the Historic District Commission process as the applicant plans to open the restaurant without alcohol service until a bistro SLUP may be approved.

Signage

At this time, the applicant is not proposing any new signage.

Outdoor Dining Area

Outdoor cafés must comply with the site plan criteria as required by Article 04, Section 4.42 OD-01, Outdoor Dining Standards. Outdoor cafes are permitted immediately adjacent to the principal use and are subject to site plan review and the following conditions:

1. Outdoor dining areas shall provide and service refuse containers within the outdoor dining area and maintain the area in good order.
2. All outdoor activity must cease at the close of business, or as noted in Subsection 3 below, whichever is earlier.
3. When an outdoor dining area is immediately adjacent to any single-family or multiple-family residential district, all outdoor activity must cease at the close of business or 12:00 a.m., whichever is earlier.
4. All tables and chairs provided in the outdoor dining area shall be constructed primarily of metal, wood, or material of comparable quality.
5. Table umbrellas shall be considered under Site Plan Review and shall not impede sight lines into a retail establishment, pedestrian flow in the outdoor dining area, or pedestrian or vehicular traffic flow outside the outdoor dining area.
6. For outdoor dining located in the public right-of-way:
 - (a) All such uses shall be subject to a license from the city, upon forms provided by the Community Development Department, contingent on compliance with all city codes, including any conditions required by the Planning Board in conjunction with Site Plan approval.
 - (b) In order to safeguard the flow of pedestrians on the public sidewalk, such uses shall maintain an unobstructed sidewalk width as required by the Planning Board, but in no case less than 5 feet.
 - (c) An elevated, ADA compliant, enclosed platform may be erected on the street adjacent to an eating establishment to create an outdoor dining area

- if the Engineering Department determines there is sufficient space available for this purpose given parking and traffic conditions.
- (d) No such facility shall erect or install permanent fixtures in the public right-of-way.
 - (e) Commercial General Liability Insurance must be procured and maintained 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. This coverage shall include an endorsement naming the city, including all elected and appointed officials, all employees, all boards, commissions and/or authorities and board members, as an additional insured. This coverage must be primary and any other insurance maintained by the additional insureds shall be considered to be excess and non-contributing with this insurance, and shall include an endorsement providing for a thirty (30) day advance written notice of cancellation or non-renewal to be sent to the city's Director of Finance.

The applicant has provided a trash receptacle south of the restaurant entry door, and another within the outdoor dining area adjacent to the on street parking zone

The applicant has provided the following proposed hours of operation as noted above:

Monday - Thursday, 11:00 a.m. – 10:30 p.m.
Friday, Saturday, 11:00 a.m. – 11:00 p.m.
Sunday, 11:00 a.m. – 9:30 p.m.

The proposed outdoor dining areas are not immediately adjacent to multi-family zoned property.

The applicant has provided specification sheets for the proposed tables and chairs, and is proposing 6 regular height two top Nardi Anthracite Cube 70 Tables, and 3 bar height two top Nardi Anthracite Cube 70 tables for the outdoor dining area. The tables have a black resin top and black lacquered aluminum legs, and are 27.8" square.

The applicant is also proposing 12 regular height Nardi Anthracite Bora Bistrot Chairs, and 6 bar height Nardi Anthracite Bora Bistrot chairs. The chairs are constructed of black fiberglass resin, and are 23" in width with back rests. The regular height tables and chairs are proposed along the building, and the bar height seating is proposed for the outdoor dining area west of the sidewalk and adjacent to the curb and the on street parking spaces. A total of 18 seats of outdoor dining are proposed between the two outdoor dining areas.

There are no umbrellas proposed for the outdoor dining areas.

The outdoor dining areas are proposed in the public right-of-way, on the sidewalk extending to the curb. No on street parking spaces are proposed for outdoor dining use.

The applicant will be required to obtain an Outdoor Dining License and enter into a contract with the City if the SLUP is approved by the City Commission.

9.0 Selection Criteria for Bistro Licenses

Chapter 10, Alcoholic Liquors, section 10-82 provides a limitation on the number of Bistro Licenses that the City Commission may approve, and provides selection criteria to assist the Planning Board and City Commission in evaluating applications for Bistro Licenses. For existing restaurants in the City of Birmingham, section 10-82 states:

- (a) **Maximum Number of Bistro Licenses.** The city commission may approve a maximum number of license transfers for Bistro licenses per calendar year as follows:

New establishments. Two (2) Bistro Licenses may be approved each calendar year to applicants who do not meet the definition of existing establishments as set forth in (a)(1) above. In addition to the usual criteria used by the city commission for liquor license requests, the commission shall consider the following non-exclusive list of criteria to assist in the determination of which of the new establishment applicants, if any, should be approved:

- The applicant's demonstrated ability to finance the proposed project.
- The applicant's track record with the city including responding to city and/or citizen concerns.
- Whether the applicant has an adequate site plan to handle the bistro liquor license activities.
- Whether the applicant has adequate health and sanitary facilities.
- The establishment's location in relation to the determined interest in the establishment of bistros in the Overlay District and the Triangle District.
- The extent that the cuisine offered by applicant is represented in the city.
- Whether the applicant has outstanding obligations to the city (ie property taxes, utilities, etc.).

Sushi Japan's bistro application was one of five bistro applications pre-selected for review by the City Commission for the 2021 calendar year. Sushi Japan will be a new establishment. The selection criteria provided above must be considered to provide a recommendation to the City Commission as to whether or not to approve the operation of a bistro.

The applicant has not provided specific financial information indicating assets available for the opening of Sushi Japan. However, the applicant has submitted an overview of their restaurant experience, and has indicated that they will be using personal funds to finance the proposed bistro. Counsel for the applicant has indicated that bank statements demonstrate the financial capability to open and operate the proposed bistro.

The applicant has significant restaurant experience, but has not previously operated a restaurant or bistro in Birmingham.

The applicant has proposed an adequate site plan to demonstrate the capability of handling the bistro liquor license activities. A full service kitchen and bar are proposed, along with 54 indoor seats and

18 outdoor dining seats. The proposed outdoor dining areas do provide for safe and efficient pedestrian flow. Adequate health and sanitary facilities are proposed.

Sushi Japan is proposed to be located within the Downtown Birmingham Overlay District. The City is interested in attracting bistro operations within the Overlay District, the Triangle District and the Rail District; therefore this operation fits into the parameters outlined by the Bistro Ordinance guidelines.

Sushi Japan is proposing to specialize in Chinese inspired cuisine, including a particular emphasis on ramen noodle dishes and other Chinese and Japanese inspired dishes, including appetizers, salads, entrees and desserts. Please see the menu included that demonstrates food offerings not currently represented in the City.

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 Special Land Use Permits

Article 07, 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.

12.0 Suggested Action

Based on a review of the site plans submitted, the Planning Division recommends that the Planning Board recommend approval of Final Site Plan and a SLUP to the City Commission to permit a Bistro License for Sushi Japan at 176 S. Old Woodward with the following conditions:

1. A signed contract with the City that must be fully executed and an Outdoor Dining License obtained upon approval of the SLUP and bistro license;
2. The Planning Board approves of the proposed 65% storefront glazing, or the applicant increase the storefront glazing to 70% or obtain a variance from the Board of Zoning Appeals;
3. The applicant paint all mechanical equipment on the rear façade of the building to match the brick of the wall;
4. The applicant provide screening panels on either side of the trash disposal area adjacent to the alley; and
5. The applicant comply with the requests of all City departments.

13.0 Sample Final Site Plan & Design Review Motion Language

The Planning Board recommends approval of the Final Site Plan and Design Review to the City Commission to permit a bistro license for Sushi Japan at 176 S. Old Woodward with the following conditions:

1. The Planning Board approves of the proposed 65% storefront glazing, or the applicant increase the storefront glazing to 70% or obtain a variance from the Board of Zoning Appeals;
2. The applicant paint all mechanical equipment on the rear façade of the building to match the brick of the wall;
3. The applicant provide screening panels on either side of the trash disposal area adjacent to the alley; and
4. The applicant comply with the requests of all City departments.

OR

Motion to recommend DENIAL of the Final Site Plan and Design Review to the City Commission for 176 S. Old Woodward, Sushi Japan for the following reasons:

1. _____
-

2. _____
3. _____
4. _____
5. _____

OR

Motion to recommend POSTPONEMENT of the Final Site Plan and Design Review for 176 S. Old Woodward, Sushi Japan.

14.0 Sample SLUP Motion Language

Motion to recommend APPROVAL of the SLUP to the City Commission to permit a bistro license for Sushi Japan at 176 S. Old Woodward with the following conditions:

1. A signed contract with the City that must be fully executed upon approval of the SLUP and bistro license;
2. The applicant comply with the requests of all City departments.

OR

Motion to recommend DENIAL of the SLUP to the City Commission for 176 S. Old Woodward, Sushi Japan for the following reasons:

1. _____
2. _____
3. _____
4. _____

OR

Motion to recommend POSTPONEMENT of the SLUP for 176 S. Old Woodward, Sushi Japan.



LAW OFFICES

ADKISON, NEED, ALLEN, & RENTROP

PROFESSIONAL LIMITED LIABILITY COMPANY

KELLY A. ALLEN
JESSICA A. HALLMARK
GREGORY K. NEED
G. HANS RENTROP

39572 Woodward, Suite 222
Bloomfield Hills, Michigan 48304
Telephone (248) 540-7400
Facsimile (248) 540-7401
www.ANAfirm.com

OF COUNSEL:

PHILLIP G. ADKISON
KEVIN M. CHUDLER
KATHERINE A. TOMASIK

April 22, 2021

Via Electronic Mail

Jana Ecker, Planning Director
City of Birmingham
151 Martin St.
Birmingham, MI 48009

**Re: Sushi Japan
Supplemental Documentation
SLUP and Final Site Plan**

Dear Ms. Ecker:

Attached are the revised SLUP application form and the completed plans for your review and consideration at the Planning Board Meeting on May 26, 2021.

Please let me know if you have any questions or require anything further.

Thank you for your assistance.

Very truly yours,

ADKISON, NEED, ALLEN, & RENTROP, PLLC

Kelly A. Allen

KAA/kjf
Enclosures

Cc: Charlie Yu
John Gardner



Special Land Use Permit Application - Bistro Planning Division

1. Applicant

Name: Sushi Japan, Inc.
Address: 176 S Old Woodward, Birmingham, MI 48009

Phone Number: 248-990-8327
Fax Number: _____
Email Address: ximigy2011@gmail.com

2. Applicant's Attorney/Contact Person

Name: Kelly A. Allen, Esq.
Address: 39572 Woodward, Suite 222, Bloomfield Hills, MI 48304

Phone Number: 248-540-7400
Fax Number: 248-540-7401
Email Address: kallen@anafirm.com

3. Required Attachments

- Warranty Deed with legal description of property
- Floor Plan of Bistro Operation
- Proof of ability to finance the proposed project
- Required fee (see Fee Schedule for applicable amount)
- Photographs of existing site and buildings
- Samples and/or specification sheets of all materials to be used
- Landscape Plan showing all existing and proposed elements
- Catalog sheets for all proposed lighting & outdoor furniture

4. Project Information

Address/Location of Property: 176 S Old Woodward

Name of Bistro: Sushi Japan
Sidwell #: _____
Current Use: Restaurant
Proposed Use: Restaurant with bistro
Area in Acres: _____
Current Zoning: CBD
Zoning of Adjacent Properties: _____
Is there a current SLUP in effect for this site?: No

Property Owner

Name: Merrillwood Investment, LLC, d/b/a Merrillwood Collection
Address: 251 E Merrill St, Suite 212, Birmingham, MI 48009

Phone Number: 248-647-8590
Fax Number: _____
Email Address: ikelly@iglawfirm.com

Project Designer/Developer

Name: Luckenbach|Ziegelman|Gardner Architects, PLLC/John H. Gardner, AIA
Address: 555 South Old Woodward, Suite 27L, Birmingham, MI 48009

Phone Number: 248-642-3990
Fax Number: _____
Email Address: gardner-arch1@sbcglobal.net

- Completed Checklist
- Certified Land Survey
- Signed Contract
- Fifteen (15) folded copies of plans including color elevations showing all materials and an itemized list of all changes for which approval is requested with the changes marked in color
- One (1) additional set of plans mounted on a foam board, including a color rendering of each elevation

5. Details of the Nature of Work Proposed (Site plan & design elements)

Sushi Japan, Inc., which is solely owned by Ximing Yu, is a restaurant offering primarily Chinese cuisine. The space formerly operated as Mediterranean Street Food. The nature of the work involves outdoor dining space as required by the Bistro Ordinance.

6. Buildings and Structures existing on site

Number of Buildings on site: 1
Height of Building & # of stories: Building: 6 / Restaurant: 1

Use of Buildings: Restaurant
Height of rooftop mechanical equipment:

7. Floor Use and Area (in square feet)

Structures:

Restaurant Space: 2217
Office space: 0
Total floor area: 2217
2217 SF

Retail space: 0
Number of Residential Units: 0
Rental or Condominium: 0

8. Bistro Operation

Number of Indoor Seats: 56
Number of Outdoor Seats: SEE ARCHITECTURAL 18
Entertainment Proposed: No
Years of Experience in Birmingham: None
Previous LCC Complaints? No
Tables provided along street façade:
Required front setback: SEE ARCHITECTURAL
Required rear setback: SEE ARCHITECTURAL
Required total side setback: SEE ARCHITECTURAL

Type of Cuisine: Chinese/Japanese
Bar Area? None
Number of Seats at bar: NONE
Years of Experience outside of Birmingham:
Full Service Kitchen? Yes
Percentage of glazing proposed: 100% existing
Proposed front setback: n/a
Proposed rear setback: n/a
Proposed total side setback: n/a

9. Outdoor Dining Facility

Location (sidewalk right-of-way or on-street parking space): Sidewalk
Hours of operation: 11am-11pm (9:30pm on Sundays)
Width of unobstructed sidewalk between door and café (5' required):
Platform proposed: No
Trash receptacles: SEE ARCHITECTURAL 1 proposed

Number of tables/chairs: 9 TABLES / 18 CHAIRS - SEE ARCHITECTURAL

Material of tables/chairs: RESIN COATED COMPOSITE AND ALUM
Table umbrellas height and material: NO UMBRELLAS. 29.5" & 42"
Number and location of parking spaces: 0
Screenwall material: Steel Fabricated Ornamental Fence
Enclosure material: None

10. Required and Proposed Parking

Number of parking spaces: None on site
Location of off site parking: 333 Pierce St. Parking Structure
Screenwall material: 222 Peabody St. Parking Structure

Parking Structures @
333 Pierce Street
Location of parking spaces: 222 Peabody Street
Shared Parking Agreement?: No
Height of screenwall:

11. Landscaping

Location of landscape areas: Garden Planters/ See Architectural
withing Bistro Seating area & edges

Proposed landscape material: Perennial/Annual Flowering Plants in
Planters: See Architectural Plans &
Detail Sheets SD-001 & SD-003

12. Streetscape

Sidewalk width: See Architectural
Number of benches: No Benches Proposed
Number of planters: 4 Planters Proposed
Number of existing street trees: 1 Existing in Front of Restaurant
Number of proposed street trees: 0 Added
Streetscape Plan submitted?: Yes- See Architectural Sheet SD 1.00

Description of benches or planters: See Architectural
Species of existing street trees: Ornamental Flowering Pear
Species of proposed street trees: N/A

13. Loading

Required number of loading spaces: Shared Loading
Location of loading spaces on the site: at rear of building in alley

Proposed number of loading spaces: _____

14. Mechanical Equipment

Ground Mounted Mechanical Equipment:

Number of ground mounted units: N/A for this Bistro Project
Size of ground mounted units (LxWxH): _____

Location of all ground mounted units: _____

Screenwall material: _____

Height of screenwall: _____

Rooftop Mechanical Equipment:

Number of rooftop units: N/A for this Bistro Project
Type of rooftop units: _____

Location of all ground mounted units: _____

Size of rooftop units (LxWxH): _____

Screenwall material: _____

Height of screenwall: _____

Location of screenwalls: _____

Percentage of rooftop covered by mechanical units: _____

Distance from units to rooftop units to screenwall: _____

15. Lighting

Number of light standards on building: See Architectural- Existing
Size of light fixtures (LxWxH): Lighting on Existing Building
to Remain. No changes are
proposed. Size approx 4"x4"x3"

Type of light standards on building: _____

Height from grade: Existing approx 83" above grade.
No changes proposed.

Maximum wattage per fixture: _____

Proposed wattage per fixture: _____

Parking lot lighting: N/A

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 or Special Land Use Permit. The undersigned further states that they have reviewed the procedures and guidelines for site plan review and Special Land Use Permits in Birmingham and have complied with same. The undersigned will be in attendance at the Planning Board meeting when this application will be discussed.

Signature of Owner: Irene Kelly-Bower Date: 4/21/21

Print Name: Irene Kelly-Bower, Building coordinator

Signature of Applicant: Ximing Yu Date: April 16, 2021

Print Name: Ximing Yu

Signature of Architect: John H. Gardner Date: April 1, 2021

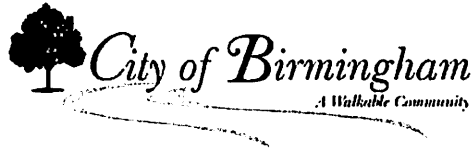
Print Name: John H. Gardner, AIA

Revised: Clarifications
April 14, 2021

Office Use Only

Application #: _____ Date Received: _____ Fee: _____

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



Notice Signs - Rental Application Community Development

1. Applicant

Name: Sushi Japan, Inc
Address: 176 South Old Woodward

Phone Number: _____
Fax Number: _____

Property Owner

Name: _____
Address: _____

Phone Number: _____
Fax Number: _____

2. Project Information

Address/Location of Property: 176 South Old Woodward
Name of Development: Sushi Japan Restaurant
Area in Acres: _____

Name of Historic District site is in, if any: _____
Current Use: _____
Current Zoning: _____

3. Date of Board Review

Board of Building Trades Appeals: _____
City Commission: _____
Historic District Commission: _____
Planning Board: _____

Board of Zoning Appeals: _____
Design Review Board: _____
Housing Board of Appeals: _____

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: Ximiny Yu Date: April 16, 2021

Office Use Only		
Application #: _____	Date Received: _____	Fee: _____
Date of Approval: _____	Date of Denial: _____	Reviewed by: _____

Sushi Japan Restaurant



SLUP / Bistro Application
176 South Old Woodward, Birmingham, Michigan

Architect's Project Number -010-2021

L|Z|G
Architects

Luckenbach|Ziegelman|Gardner
Architects

555 S. Old Woodward Ave., Suite 27L
Birmingham, Michigan 48009

email:
gardner-archi@sbcglobal.net

tele:
248.642.3990

issue date

SD SITE PLAN REVIEW APRIL 14, 2021
SLUP/BISTRO APPL

sheet title:

TITLE SHEET
SHEET SCHEDULE
ZONING
INFORMATION

project:

SUSHI JAPAN

Sushi Japan
Restaurant
Outdoor
Dining

project address:

176 South Old Woodward Ave.
Birmingham, Michigan

designed

drawn JG

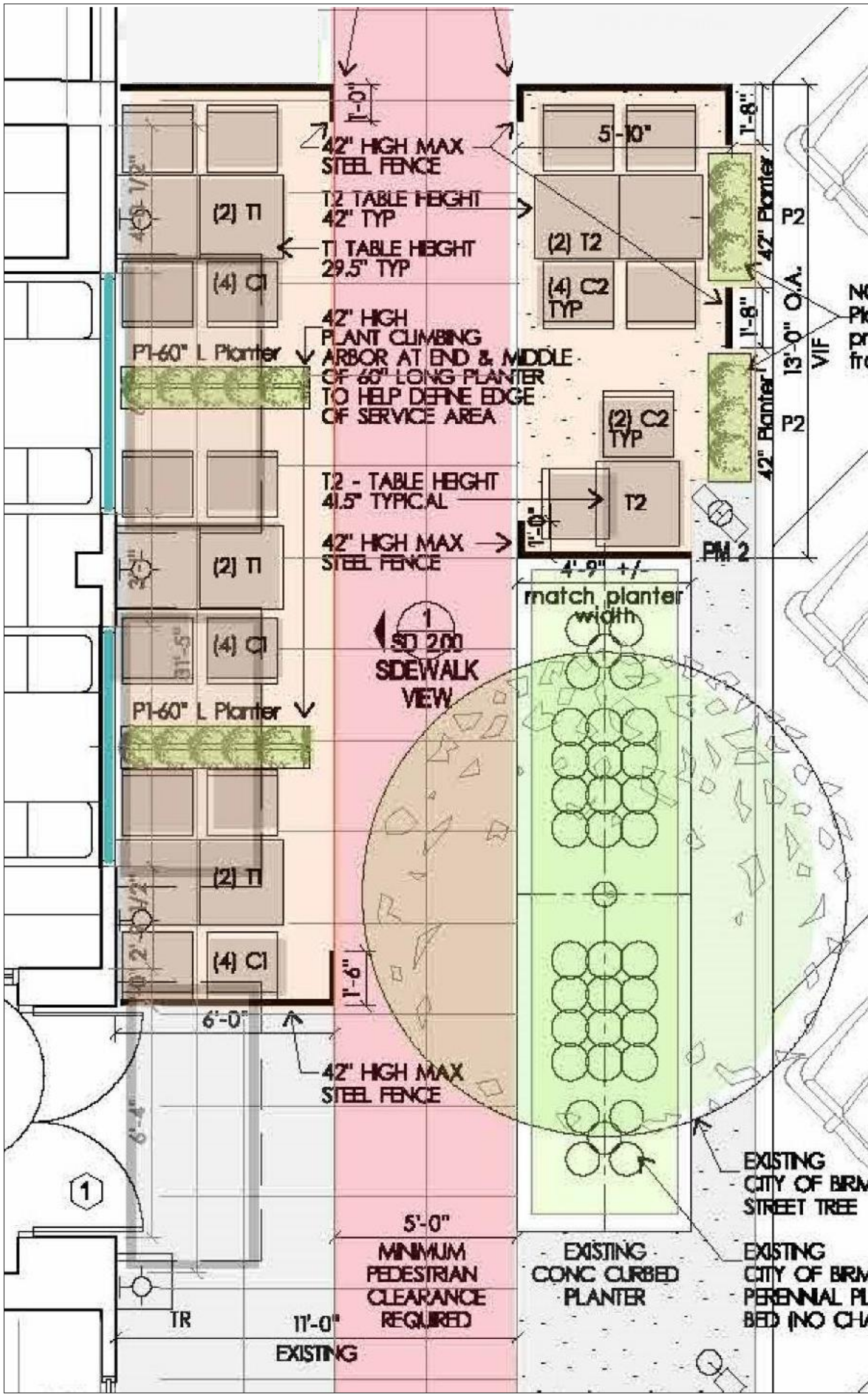
coordination checked

checked approved

project number:
010-2021

sheet number:

T-1.00



Bistro Plan Detail



Bistro Elevation From S. Oldwoodward

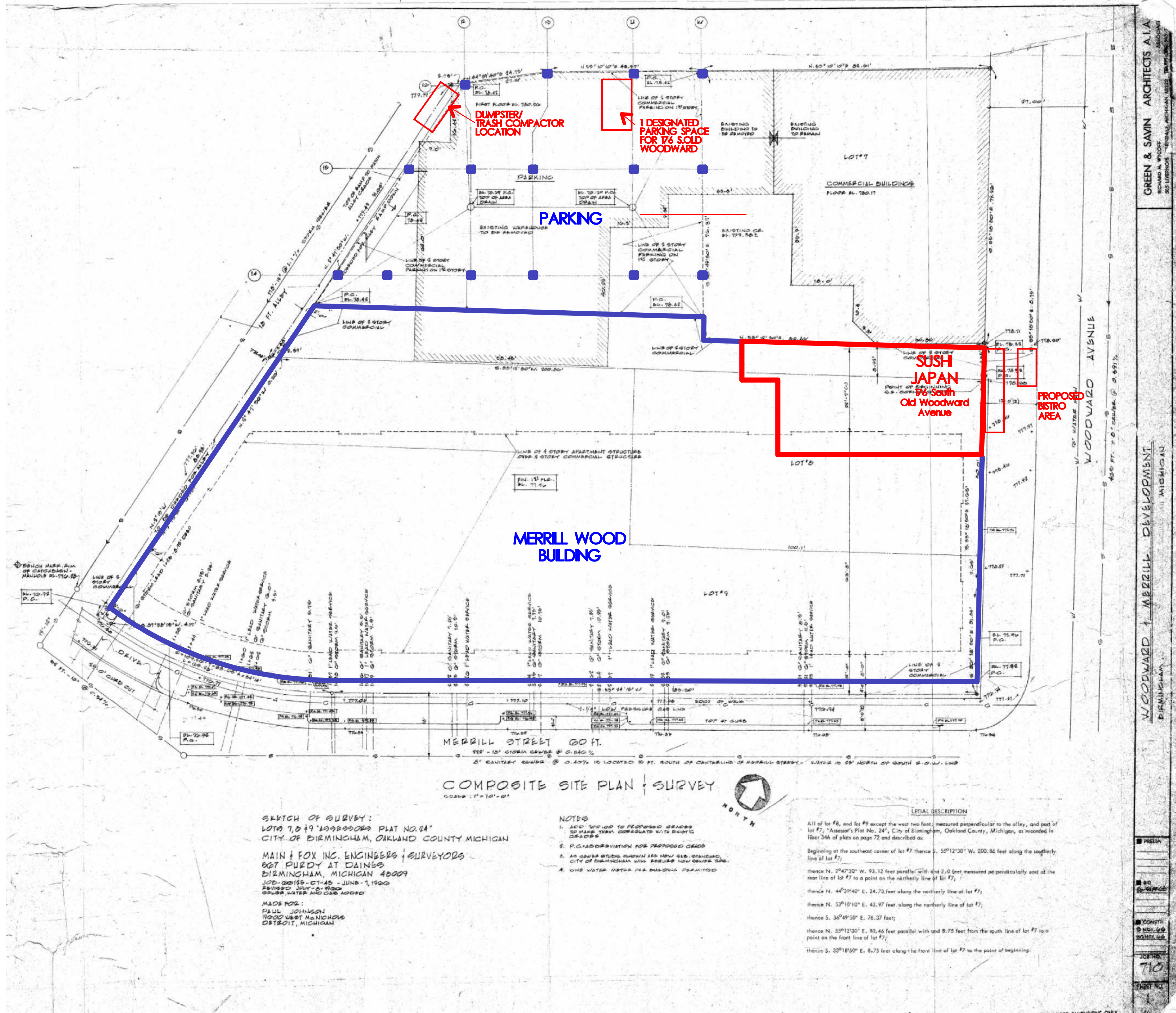
Zoning Information
Building Area / Building Criteria

Zoning = B4 Downtown Overlay District = D5 Part of Downtown Birmingham Parking Assessment District	
Building Codes: Michigan Building Code 2015 / Michigan Rehabilitation Code 2015	
Use Group: B2 - Business	
Number of Stories Existing Restaurant Space 1	
Existing Level 1 Restaurant Net Area 2000 sf net interior area	
Proposed Bistro Area 1 = 150 sf	
Proposed Bistro Area 2 = 70 sf	
Legal Description: See Site Plan - Sheet SD 0.00	

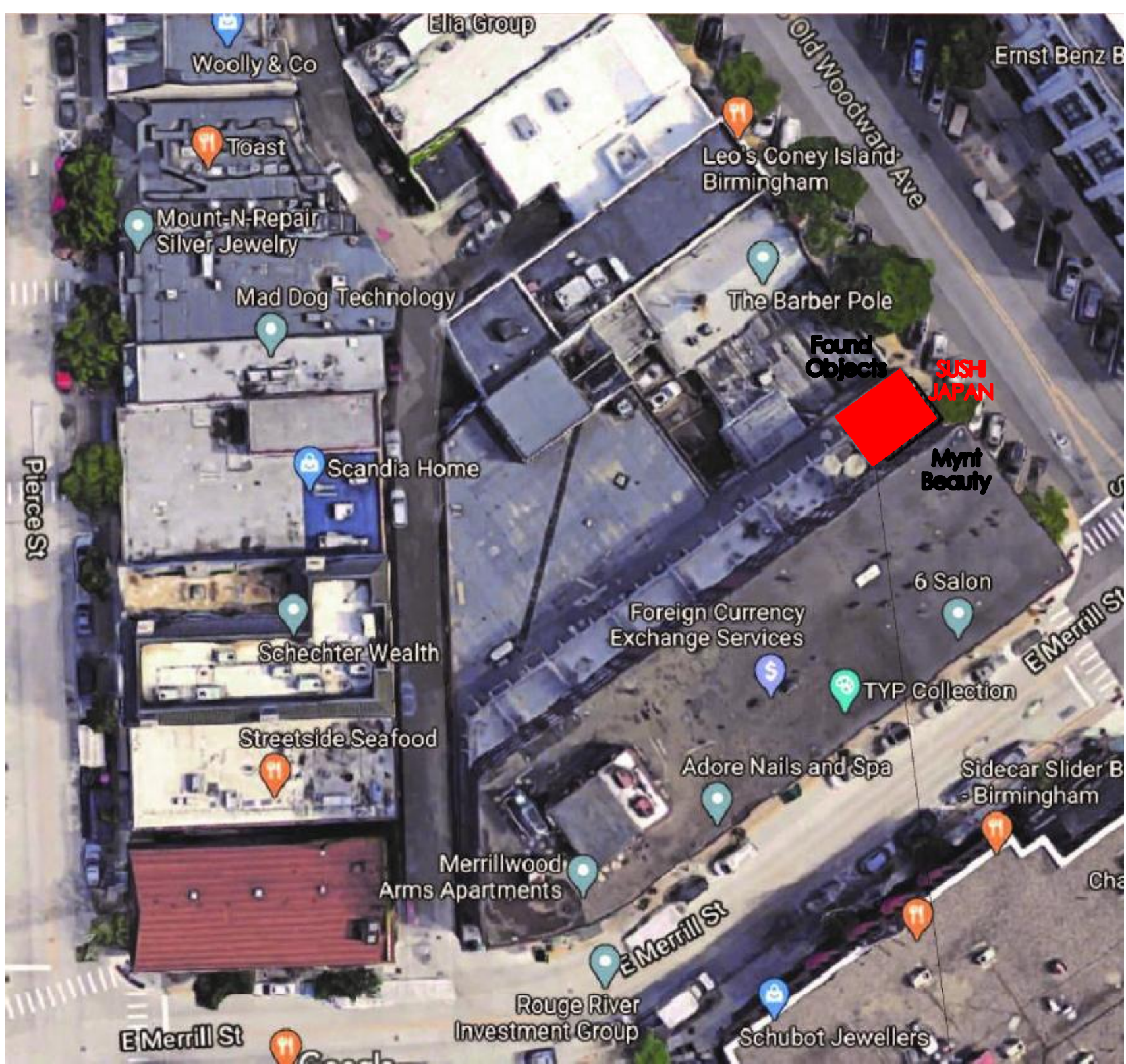
PLANNING BOARD
SLUP/BISTRO REVIEW

Sheet Schedule

●	T 1.00	TITLE SHEET & ARCHITECTURAL SITE PLAN
●	SD 0.00	SURVEY / SITE INFORMATION
●	SD 1.00	RESTAURANT FLOOR PLAN / OUTDOOR BISTRO PLAN
●	SD 2.00	EXTERIOR ELEVATIONS
●	SD 3.00	FURNITURE, FIXTURES, VEGETATION SHEET



1 SURVEY / SITE PLAN
SD 0.00 SCALE: 1/16"=1'-0"



2 ADJACENT PROPERTIES
SD 0.00 NTS



3 LOCATION MAP
SD 0.00 NTS

seal:

L|Z|G Architects

Luckenbach|Ziegelman|Gardner Architects

555 S. Old Woodward Ave. Suite 27L
Birmingham, Michigan 48009

email:
gardner-arch@sbglobal.net

tele:
248.642.3990

issue date

SD SITE PLAN REVIEW APRIL 14, 2021
SLUP/BISTRO APPL

sheet title:

LOCATION MAP SURVEY SITE INFORMATION

project:

SUSHI JAPAN

Sushi Japan
Restaurant
Outdoor
Dining

project address:

176 South Old Woodward Ave.
Birmingham, Michigan

designed

drawn

coordination checked

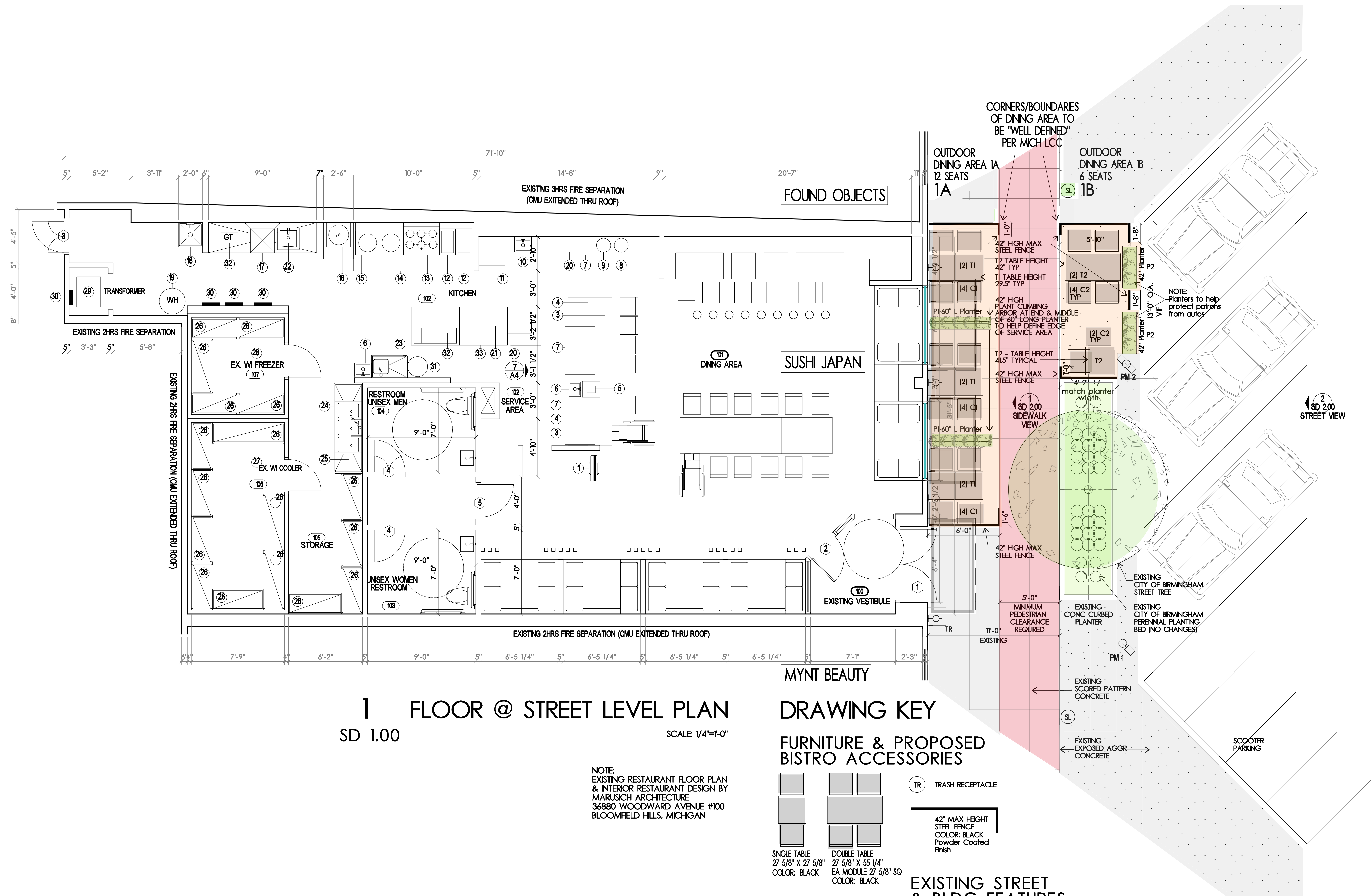
checked approved

project number:

010-2021

sheet number:

SD 0.00



L|Z|G
Architects

Luckenbach|Ziegelman|Gardner
A r c h i t e c t s

555 S. Old Woodward Ave. Suite 27L
Birmingham, Michigan 48009

email:
gardner-arch1@sbcglobal.net

tele:
248.642.3990

[illegible]

sheet title:

EXISTING
FLOOR PLAN +
PROPOSED
OUTDOOR
DINING PLAN

project:

SUSHI JAPAN

Sushi Japan
Restaurant
Outdoor
Dining

project address:

176 South Old Woodward Ave.
Birmingham, Michigan

designed	
drawn	JG
coordination checked	
checked	approved

project number: 010-2021

sheet number:

SD 1.00

seal:

L|Z|G
Architects

Luckenbach|Ziegelman|Gardner
A r c h i t e c t s

555 S. Old Woodward Ave. Suite 27L
Birmingham, Michigan 48009

email:
gardner-arch1@sbcglobal.net

tele:
248.642.3990

[illegible]

sheet title:

EXISTING
FLOOR PLAN +
PROPOSED
OUTDOOR
DINING PLAN

project:

SUSHI JAPAN

Sushi Japan
Restaurant
Outdoor
Dining

project address:

**176 South Old Woodward Ave.
Birmingham, Michigan**

designed

drawn JG

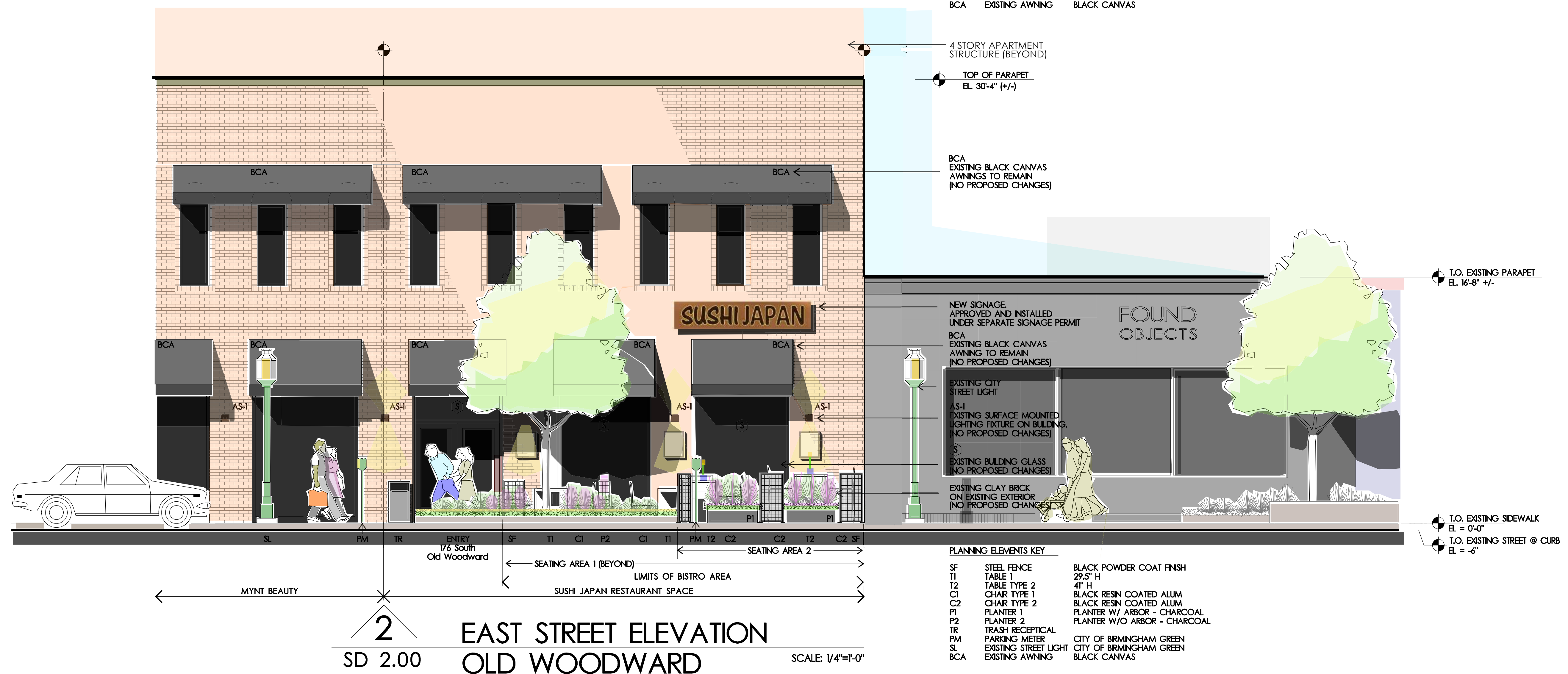
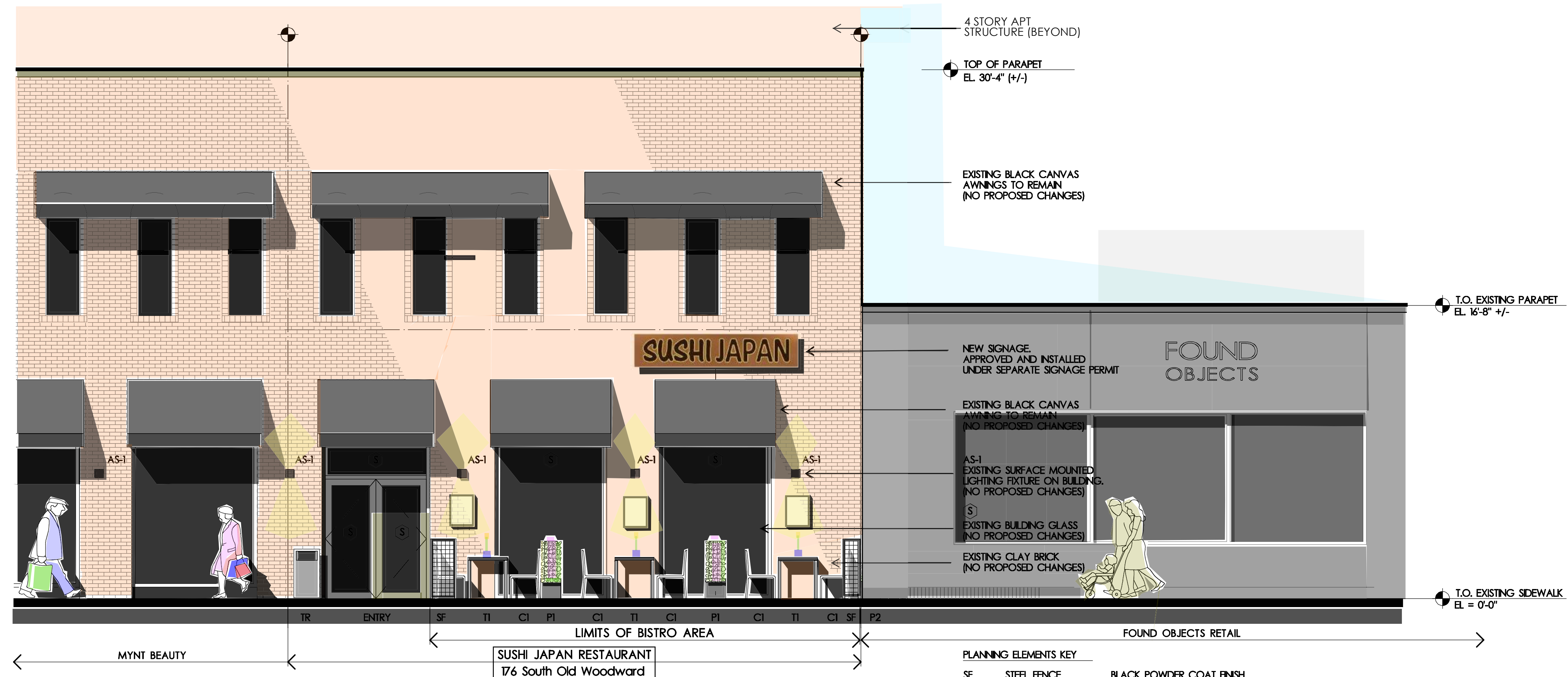
coordination checked	
checked	approved

project number:

010-2021

sheet number:

SD 2.00



BISTRO FURNITURE

SKU: 4785202000
Nardi 4785202000 Anthracite Cube 70 Table



T1 Table type 1
T2 Table type 2

SKU: 4024302000
Nardi 4024302000 Anthracite Bora Bistrot Chair





Planter Box



Description

Cube is a solid, minimalist professional table made out of resin with a DurelTop square surface. It is an innovative new system in the production of tabletops developed to reach the highest levels of practicality, resistance, and elegance. It also features an aluminum structure that confers solidity and sturdiness. Square-base legs in lacquered aluminum.

Features:

- Stackable table 70x70 cm.
- DurelTOP in polypropylene with UV additives and uniformly colored.
- Legs in coated aluminum.
- Matte finish.
- Adjustable height feet.
- Recyclable resin.

Specifications

Width:	27.6 in.
Height:	29.5 in.
Depth:	27.6 in.
Color:	Black
Stackable:	Yes

Table height = 29.5"
Counter Height = 41.5"

Description

Lightweight and cool, Bora is a chair without armrests in fiberglass resin, with a continuous tubular structure and rounded profile. The seat and back form a single piece, with shapes that complement the soft fabric padding.

Features:

- Monobloc chair without armrest.
- Uniformly colored fiberglass polypropylene resins with UV additives.
- Matte Finish
- With non-slip feet.
- Recyclable Resin

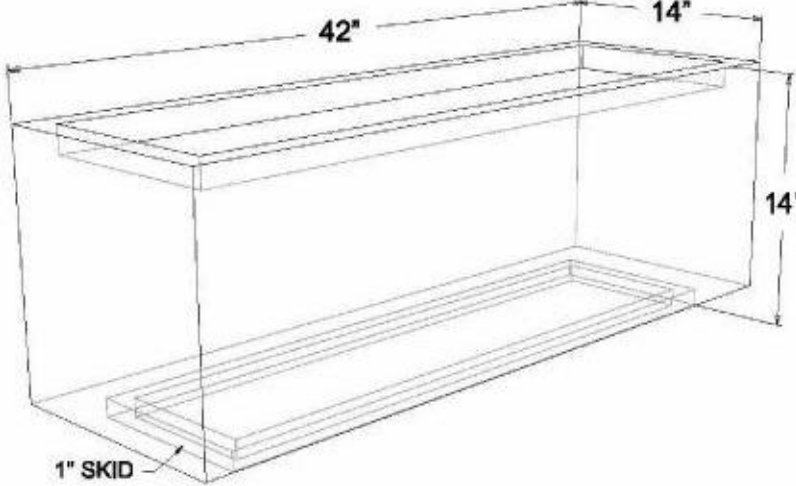
Specifications

Width:	23 in.
Height:	33.9 in.
Depth:	21.7 in.
Color:	Black
With Arms:	No
With Back:	Yes
Stackable:	Yes
Shipping Weight:	12.50 pounds

C1 / C2

Low Rectangular Planter - Medium

42"L X 14"W X 14"H
Weight - Steel : 63 lbs. Aluminum : 27 lbs.
Capacity : 4.25 cubic feet



YARDART
uniquegardendecor.com
(866) 382-8600



Mandevilla Climbing Vine Annual

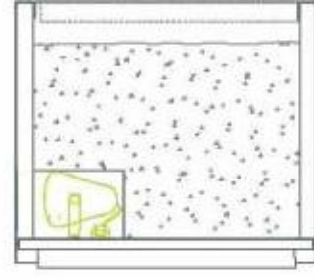


Verbenum ZZZ Plant

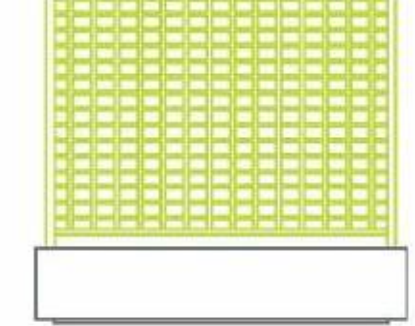


Million Bell Petunas

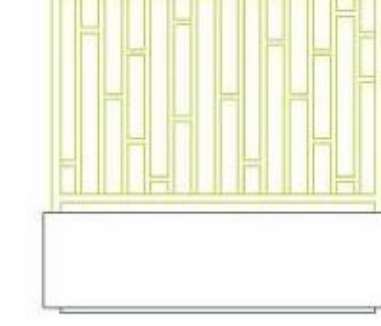
DESIGN OPTIONS



Indoor/Outdoor Integrated Speakers, weather resistant construction for year round indoor/outdoor use, compact 2 way loudspeaker systems for exceptional performance. Visit our website for more detailed information.



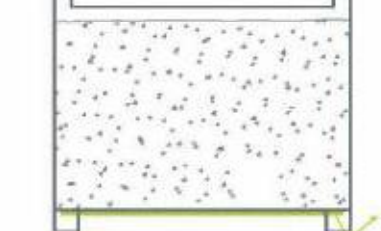
Pre-assembled FSC certified ipse lattice using an overlapping dado joint with a brass pin detail intersection. Mechanically fastens to internal brackets located within the container.



Pre-assembled aluminum lattice which mechanically fastens to internal brackets located within the container. Can be powder coated to match the container or powder coated a different color for contrast.



LED face lighting is available on any flat surface container. 12 volt DC operation or hard wired into an already existing 12 volt system. Transformer sold separately. Visit our website for more information.



Toe kick lighting is available on most containers. 12 volt DC operation or hard wired into an already existing 12 volt system. Transformer sold with first 12" on LED toe kick lighting if requested. Visit our website for more information.

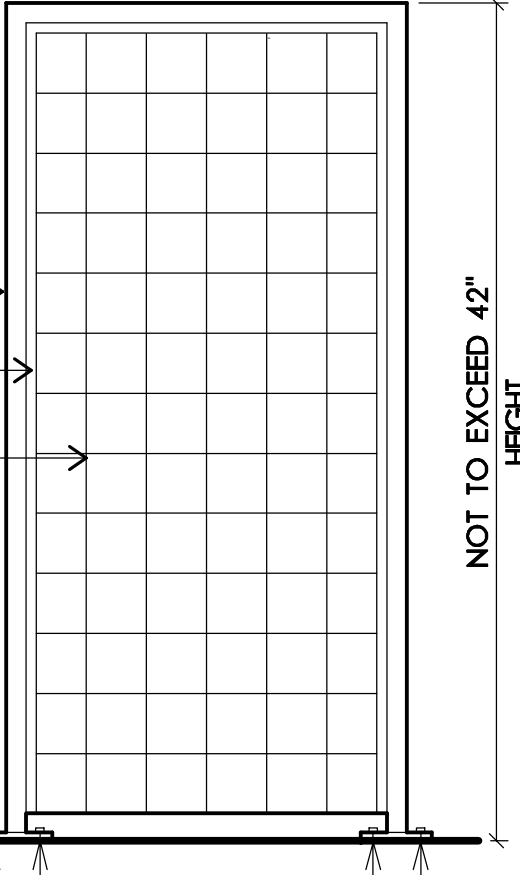


Lip LED lighting is available on most containers. 12 volt DC operation or hard wired into an already existing 12 volt system. Transformer sold with first 12" on LED Lip lighting if requested. Visit our website for more information.

PLANNING ELEMENTS KEY

SF	STEEL FENCE	BLACK POWDER COAT FINISH
T1	TABLE 1	29.5" H
T2	TABLE TYPE 2	41" H
C1	CHAIR TYPE 1	BLACK RESIN COATED ALUM
C2	CHAIR TYPE 2	BLACK RESIN COATED ALUM
P1	PLANTER 1	PLANTER W/ ARBOR - CHARCOAL
P2	PLANTER 2	PLANTER W/O ARBOR - CHARCOAL
TR	TRASH RECEPTAC	
PM	PARKING METER	CITY OF BIRMINGHAM GREEN
SL	EXISTING STREET LIGHT	CITY OF BIRMINGHAM GREEN
BCA	EXISTING AWNING	BLACK CANVAS

Planter Box with Arbor



Fence Detail

1" x 1" STEEL TUBE OUTER FRAME
1/2" X 1/2" STEEL CHANNEL INNER FRAME
3" X 3" X 1/8" WOVEN WIRE FABRIC (MESH)
FINISH: PRIMED & POWER COAT PAINT (SHOP FINISHED BAKED ENAMEL)
COLOR: BLACK
3X3 X 1/4" STL PL FEET W/ EXPANSION ANCHORS

NOT TO EXCEED 42" HEIGHT

PLANNING ELEMENTS KEY

SF	STEEL FENCE	BLACK POWDER COAT FINISH
T1	TABLE 1	29.5" H
T2	TABLE TYPE 2	41" H
C1	CHAIR TYPE 1	BLACK RESIN COATED ALUM
C2	CHAIR TYPE 2	BLACK RESIN COATED ALUM
P1	PLANTER 1	PLANTER W/ ARBOR - CHARCOAL
P2	PLANTER 2	PLANTER W/O ARBOR - CHARCOAL
TR	TRASH RECEPTAC	
PM	PARKING METER	CITY OF BIRMINGHAM GREEN
SL	EXISTING STREET LIGHT	CITY OF BIRMINGHAM GREEN
BCA	EXISTING AWNING	BLACK CANVAS

seal:

L|Z|G Architects

Luckenbach|Ziegelman|Gardner Architects

555 S. Old Woodward Ave, Suite 27L
Birmingham, Michigan 48009

email:
gardner-archi@sbcglobal.net

tele:
248.642.3990

issue date

SD SITE PLAN REVIEW APRIL 14, 2021
SLUP/BISTRO APPL

sheet title:

FFE:
FURNITURE,
FIXTURES,
PLANTS &
PLANTERS

project:

SUSHI JAPAN

Sushi Japan Restaurant Outdoor Dining

project address:

176 South Old Woodward Ave.
Birmingham, Michigan

designed

drawn JG

coordination checked

checked approved

project number:

010-2021

sheet number:

SD 3.00

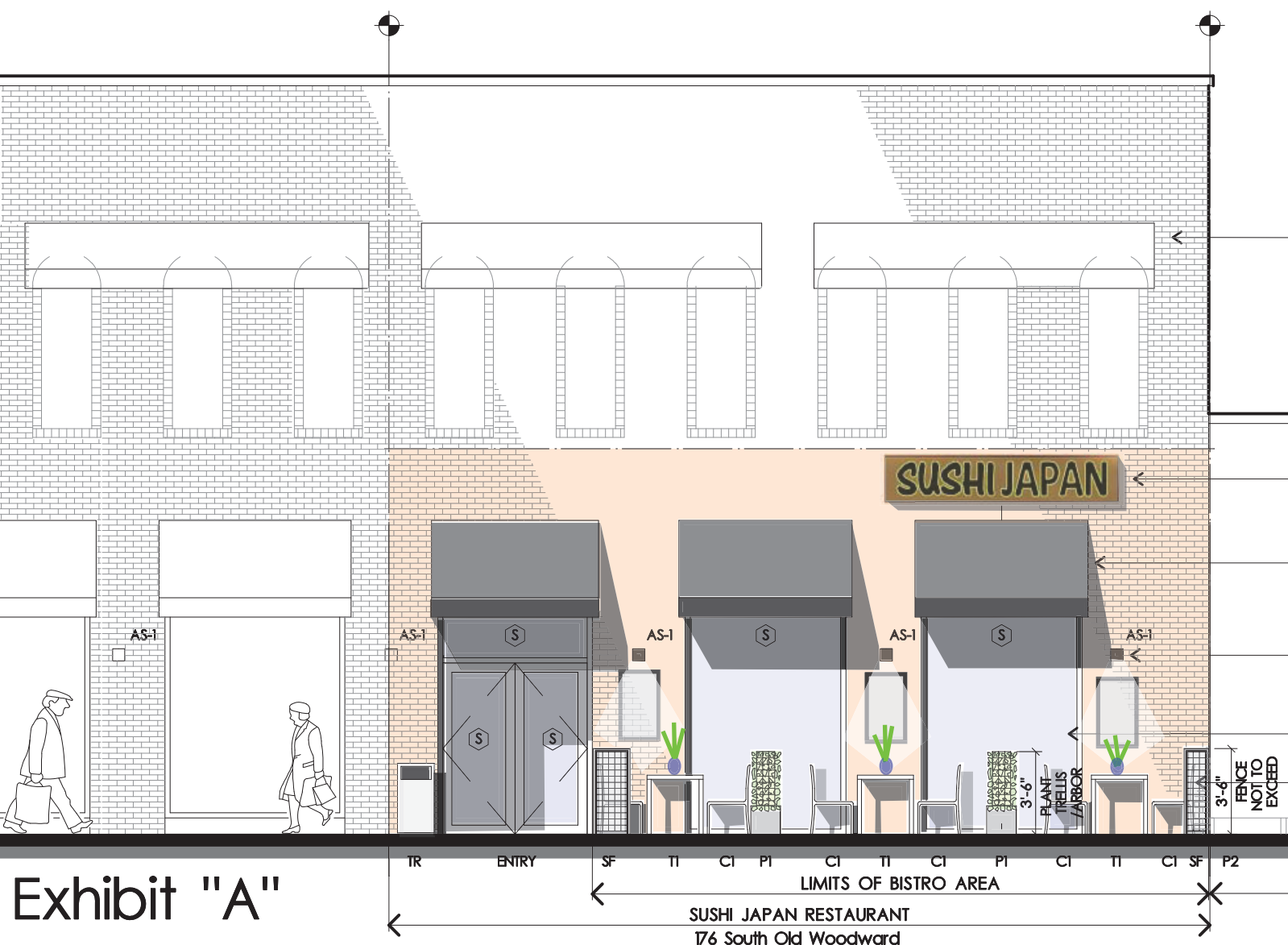


Exhibit "A"

SUSHI JAPAN

L|Z|G
Architects

1
SD 2.00

EAST FACADE ELEVATION SIDEWALK

SCALE: 1/4"=1'-0"

Planter Box Trellis Height

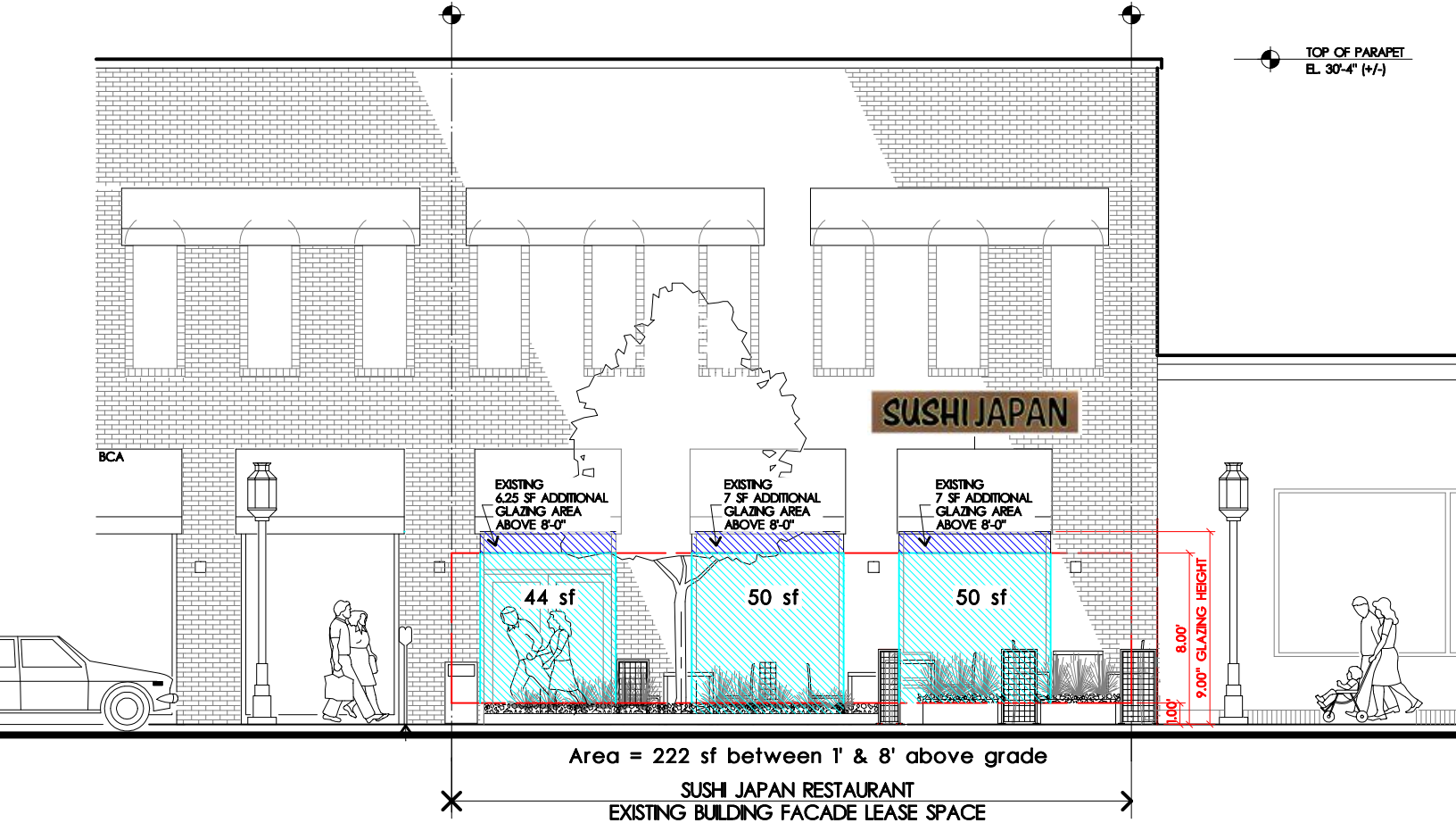


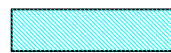
Exhibit "B"

SUSHI JAPAN

L|Z|G
Architects

2
SD 2.00

EAST STREET ELEVATION
OLD WOODWARD

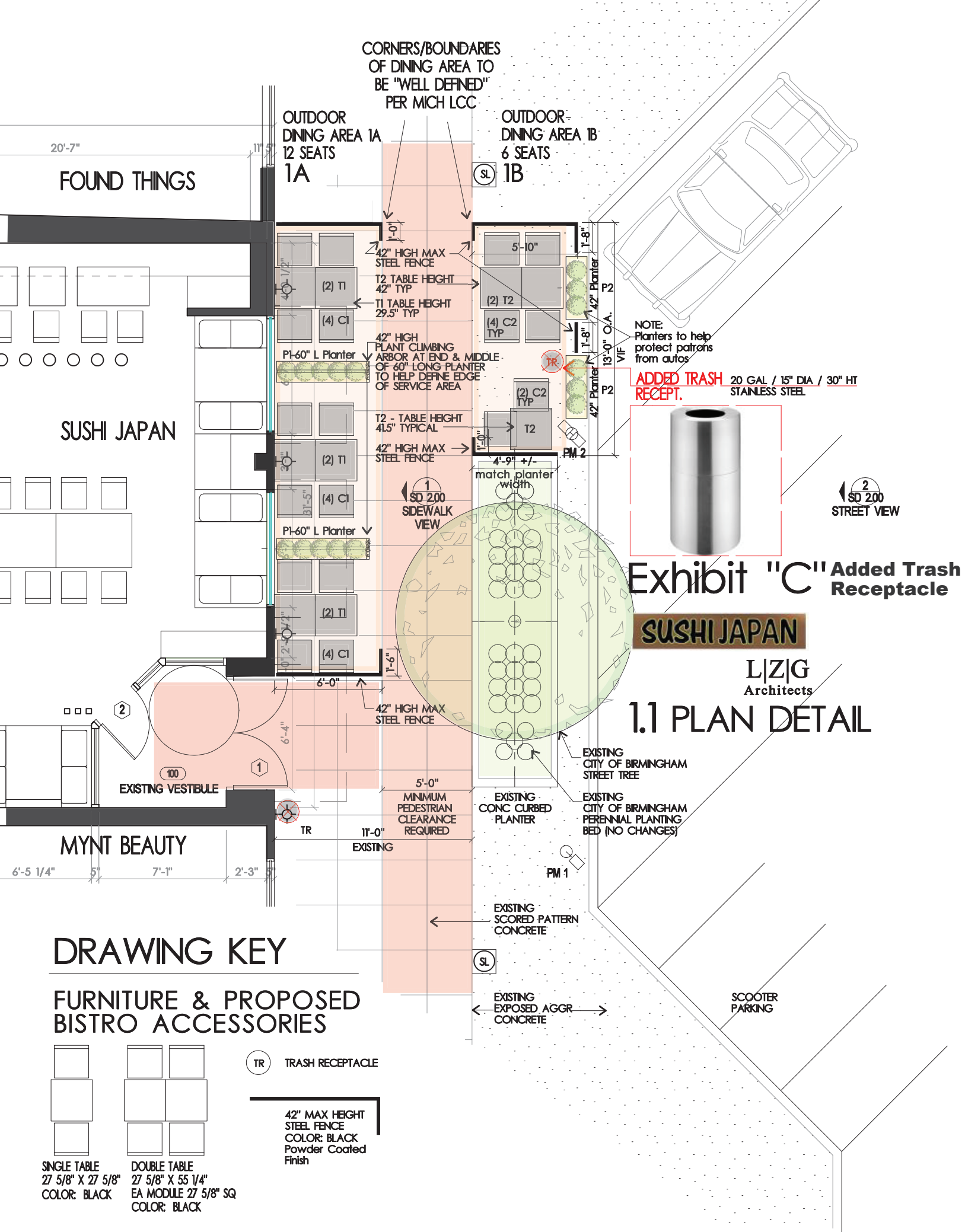


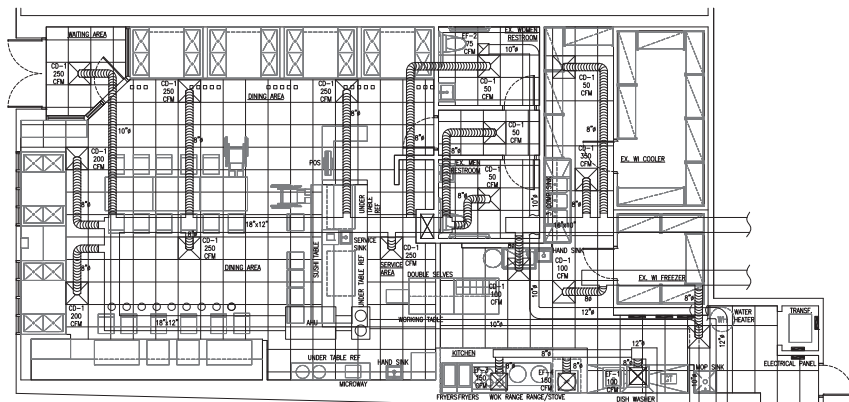
→ EXISTING GLAZING AREA
BETWEEN 1'-0" & 8'-0" ABOVE GRADE

GLAZING
% CALC

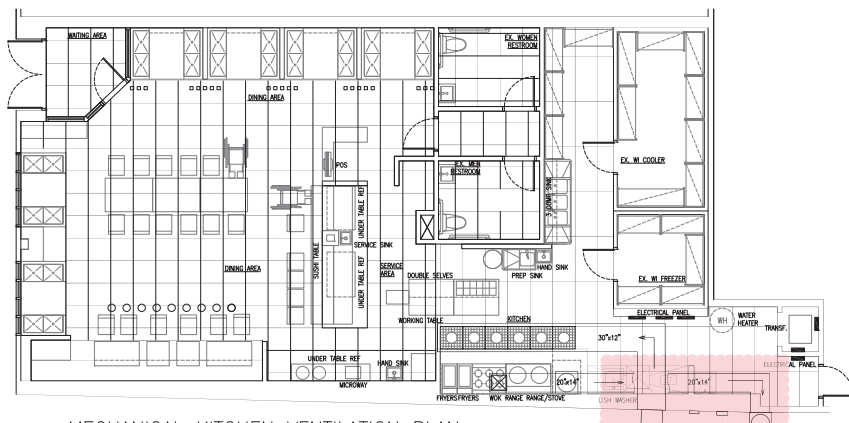
→ GLAZING AREA BETWEEN 1' & 8' ABOVE GRADE:
LEASE SPACE AREA BETWEEN 1' & 8' ABOVE GRADE:
% GLAZING AREA BETWEEN 1' & 8' ABOVE GRADE:

44' + 50' + 50' = 144 SF
222 SF
144 SF / 222 SF (100) = 65%

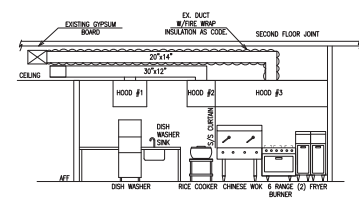




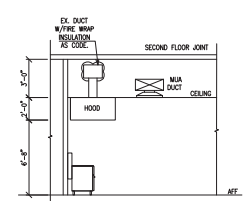
**MECHANICAL - HVAC, BATHROOM
& DISHWASHER VENTILATION**
SCALE: 1/4"=1'-0"



MECHANICAL KITCHEN VENTILATION PLAN
SCALE: 1/4"=1'-0"

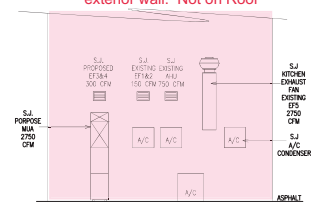


KITCHEN ELEVATION
NO SCALE



KITCHEN ELEVATION
NO SCALE

New mechanical equipment
at back of building on North
exterior wall. Not on Roof



OUTDOOR EQUIPMENT ELEVATION
NO SCALE

**NORTH WALL ELEVATION
AT BACK OF BUILDING**
Exhibit "D"
Outdoor Mechanical Equipment

MARUSICH ARCHITECTURE
3000 WOODWARD AVENUE
SUITE 100
BIRMINGHAM, AL 35202
OFFICE PHONE 205 922 9997
CELL PHONE 205 922 9997
COPY RIGHT

PROJECT NAME
SUSHI JAPAN

178 S. OLD WOODWARD AVE.
BIRMINGHAM, AL 35203

ISSUE DATE
05/14/2020

REVISION HISTORY

NO.	DATE	DESCRIPTION
1	05/14/2020	ISSUED FOR PERMIT

DRAWN BY: **KH**

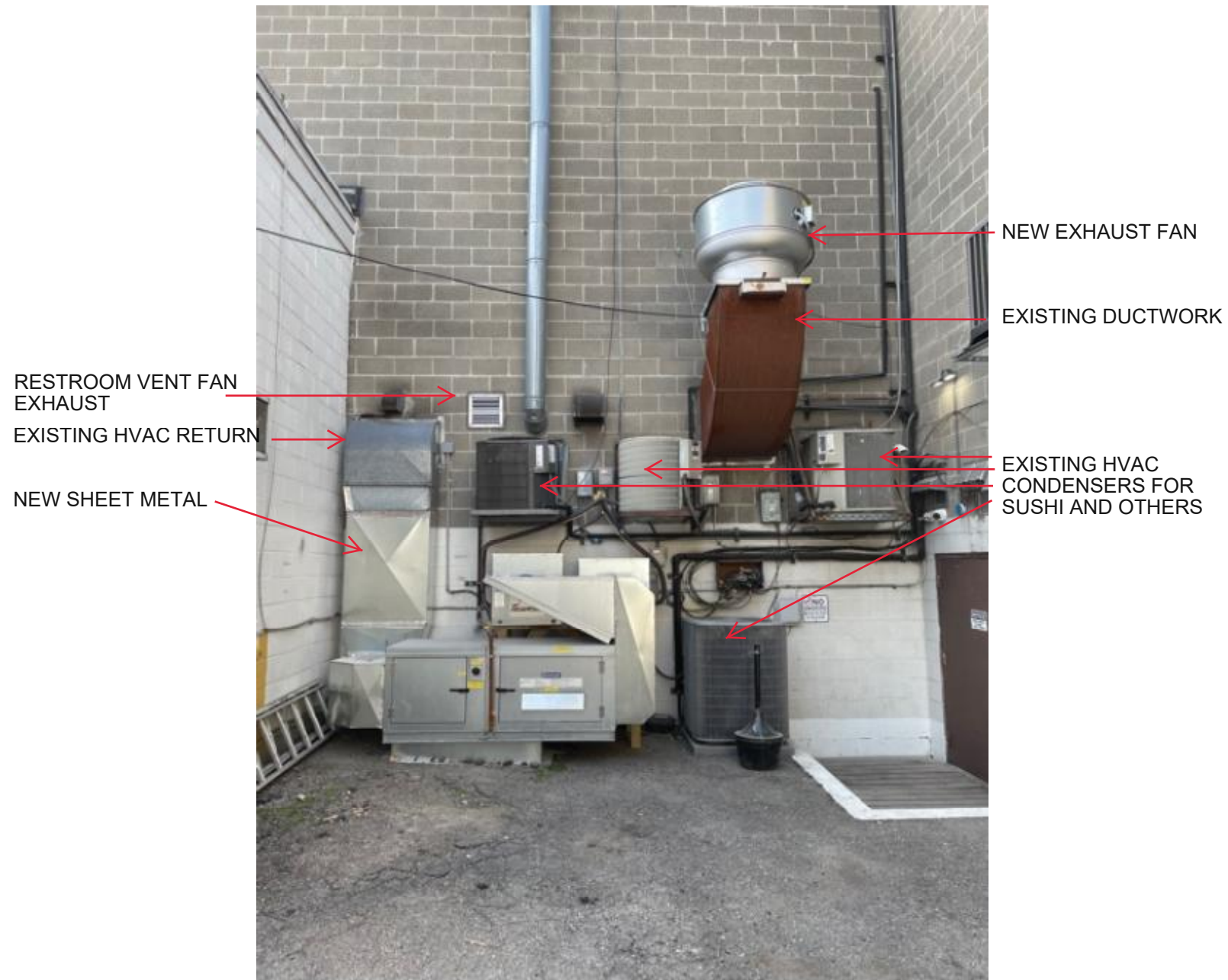
CHECKED BY: **JA**

DO NOT SCALE DRAWING

MECHANICAL PLAN

SHEET #

M-1



RESTROOM VENT FAN
EXHAUST

EXISTING HVAC RETURN

NEW SHEET METAL

NEW EXHAUST FAN

EXISTING DUCTWORK

EXISTING HVAC
CONDENSERS FOR
SUSHI AND OTHERS

MECHANICAL EQUIPMENT
EXTERIOR WALL
NORTH SIDE OF SUSHI KITCHEN
LOCATED IN PARKING AREA
OFF FROM MERRILLWOOD ALLEY

Exhibit D.1



MERRILLWOOD BUILDING
EXISTING DUMPSTERS &
TRASH COMPACTOR
LOCATED ALONG ALLEY
@ NW SIDE OF BUILDING

Exhibit E

SUSHI JAPAN

Japanese, Asian, Chinese Food and Fusion Noodles
Lunch 11am~3pm Tel.248-000-0000

Available Hours(Open for Dine-In)
Mon~Thur. 11am~10:30pm
Fri ~Sat. 11am~11pm
Sun. 11am~9:30pm

Omakase Lunch Takeout
Gift certificates available
176 S. Old woodward Ave.
Birmingham, MI 48009

Small Plates

- Edamame 4.5 gf Spring rolls (vegetable) 5.5
- Dumpling (beef & veggie) 5.5, steamed or fried
- Agedashi tofu 5.5, lightly battered, ginger scallion dressing
- Steamed tofu 5.5
- Steamed Sumai (shrimp) 5.5
- *Prime ribeye slider 20, tataki beef, chef special sauce
- *Sushi Salad 10 gf, ahi tuna and crab salad
- *Mendaiko Ahi Tuna 10 gf, grill seared tuna, truffle mendaiko
- *Yellowtail salsa 10, chujang, scallion salsa, jalapeno, potato
- *Seared Pepper Salmon 10, scallion citrus salsa, torched
- *Tuna Poke w/special premium rice 12, dashi soy egg yolk
- Unagi Whole Tempura 13, green salsa, power crumbs
- Rock Crust Shrimp 13, aioli pepper Korean sauce
- Japanese Bacon 10, steamed, onion salsa, side dashi egg yolk
- Lettuce Wraps 12, sautéed chicken, veggie, nuts, side hoisin
- Karaage 12, chinese style chicken wings, pickled daikon,
- Avocado Silken Tofu 8 gf, soft tofu, dashi broth, layout
- Eggplant Agebitashi 10
- Garlic Asparagus Broccoli Spinach 10, garlic olive
- *Steak Bite (Beef) 13, mixed veggie, side oriental ssamjang

Ramen 12, Japanese style white soybean base housemade broth, asian veggies, scallion, wood ear mushroom, tomato, bok choy, nori, protein (charshu, 3 pcs), steamed ajitama, straight or curved noodles. Ramen history is a bit over 100 years old in Japan, dating back to the first credited shop in 1910.

Shoyu ramen, special blend soy based tare

Miso ramen, robust golden miso tare.

Tonkotsu ramen, our signature silky broth

Neginanban (white Hot) 13, scallion, tossed jalapeno

Kara (spicy) Red ramen 13, a hint of spiciness

Tofu ramen 14, organic tofu

Silken Tofu ramen 14, soft silken organic tofu

Tempura ramen 16, panko jumbo shrimp, veggie tempura

Spicy Shrimp ramen 16, mild spicy

Curry ramen 13 Japanese original best slow cooked curry

Unagi ramen 16, whole unagi light batter tempura

Seafood ramen 16, mild spicy, hokesei oil, asian veggies, mussels, shrimp, scallop, pacific ocean perch

Soup, Salad

- Miso soup 3.5 gf, tofu, scallion, wakame
- Wonton soup 5.5, chicken broth, pork, spinach, sesame oil
- Hot and Sour soup 5.5, spicy sour broth, tofu, egg, mushroom
- Spicy Tofu soup 5.5 gf, tofu, mild spicy, veggies
- Ginger salad 5, iceberg lettuce, spinach, pear dressing

Entrees (Chinese)

- Kung Pao Chicken 15, nuts, sichuan, chili peppers, veggies
- Sweet and Sour Chicken 15, sweet sour honey sauce
- Beef Broccoli 15, succulent beef, tossed phenomenally sauce
- Eggplant Mapo Tofu 15, organic tofu, vegetable, tobandjan, aioli, beef protein, scallion
- Crispy Pepper Shrimp 18, lightly battered jumbo shrimp, veggies, eastern spices
- General Tso's Chicken 15, tomato sauce, sour sweet chili sauce, aioli, light ginger, light hot glaze
- Crispy Boneless Chicken 15, bite size crispy, honey sauce
- Orange Chicken 15, wok-fried, sautéed orange citrus sauce
- Lemonglass Ginger Chicken 15, char-grilled marinated ginger lemonglass, asian vegetables
- Mongolian Beef 17, sautéed hand cut steak, scallions, ginger, lightly breaded, vegetables
- Sauteed Beef Fillet Black Pepper 19, use steak beef rib eye, aioli pepper, rice wine
- Chicken Wings 14, fried, XO, oyster and soy sauce
- Lamb Crispy 20, boneless, Japanese encrusted in bread crumbs, curry kotsu glaze, our special marinated rice, cabbage
- Char Siu Plate 15, steamed seared pork, our special rice
- Teriyaki Grilled, slower cook char-grilled, housemade glaze
 - Chicken 15 - *Fillet mignon 28
 - *Cubed Beef 19 - Salmon 19
 - Tofu 15, organic
 - Pork Steak 15, Chinese style marinated hand cut pork toro
- Tomato Bulgogi 18.5, thinly sliced beef, sizzling plate
- Noodle bulgogi 21.95, Chinese style noodles
- Curry Kotsu (cutlet) 14.95, Japanese original best slow cooked curry, housemade pickles, cabbage
 - Choice: Chicken / Tonkotsu (pork toro)
 - Fish (pacific rockfish) 15

Chinese Wok Noodles (no broth)

- Dan Dan noodle 12, veggies, pork, carrot, bean sprouts
- Chinese Style Pasta 12, onion, carrot, asian vegetables
 - Choice: Chicken / Beef / Shrimp
- Clear noodle 12.95 gf, gluten-free potato noodles, wood ear mushroom, vegetables
 - Choice: Veggie gf / Tofu gf / Chicken gf / Beef 14.95
- Supreme Chow Mein noodle 12, savory soy, veggies
- Korudo Beef noodles 12, Japanese sauteed noodles, mixed veggies, grilled shabu protein, layout, steamed agitama
- Hibachi Wok 11, stir fried udon noodles, mixed veggies
 - Choice: Veggie Broccoli / Chicken / Tofu
 - Beef 14.5 / Shrimp 14.5 / Spicy Pork 12

*Consuming raw or undercooked meats, poultry, seafood, shellfish and eggs may increase your risk of foodborne illness. These menu items may be served raw or undercooked. Before placing your order. Please let us know about any food sensitivities and allergies. separate checks please. Sizzling hot stone bowl and pots are very hot. Please do not touch and keep away from kids. Prices and menu are subject to change without notice.

SAKE

Hot Sake
White Sake Punch
Kikusui, Niigata, Honjozo, very dry SMV +8
Hakkisan, Niigata, Tokubetsu Junmai, dry SMV +5
Dassai 50, Yamaguchi, Junmai Daiginjo, dry SMV +5

WHITES

Sauvignon Blanc, Pierre Martin, Les Monts Damnes,
Riesling Dry, Silver Thread, 2015
Chenin Blanc, Backsberg, 2017
Chardonnay, Roth, 2014
Olivier Leflaive, Bourgogne Blanc, Les Setilles, 2015
Boyer-Martenot, Les Narvaux, Meusault 2015

REDS

Pinot Noir, Pere & Fils, Chanson Bourgogne, 2014
Cabernet Sauvignon, Avalon, 2015
Pinot Noir, Sharecropper's, 2015
Saint-Joseph, Laurent Betton, 2015
Tempranillo, Reserva, Imperial, CVNE, 2012

COCKTAILS

China Punch, rum, fruit juice, Chinese liqueur
Mai Tai, Favorite Tahitian mixture of rum, lemon
Sake Flights
Tokyo Drift, skyy vodka, yuzu, shiso
Soju Sangria, sparkling shiraz, fruit-infused soju, aranciate
Singapore Sling, sole gin, dry gin, lime
Spicy Guava Margarita
Shiso Julep, old overholt rye whiskey, shiso, lemon

Fried Rice (Best) 12,
mixed wok veggies, onion, agitama, secret our fried sauce
-Choice: Veggie Broccoli / Chicken / Tofu
Beef Shabu 15 / Shrimp 15
Spicy Pork 14

Broth Noodles

Udon (うどん) 11, thick white wheat noodle in dashi broth
-Choice: Plain 8 / Chicken / Tofu / Veggie Broccoli
Shrimp Tempura Udon / Beef 14.5
Fish (pacific rock fish) Udon 12
Spicy Shrimp 14.5
Spicy Seafood Udon 14.5, mussels, shrimp, scallop

Miso Bak choy udon 11, miso broth, udon noodles
Silken Tofu Miso Somyeon noodle 12, white
miso broth, soft silken tofu, somyeon noodles, scallion
Chicken Somyeon noodle 12, chicken broth,
somyeon noodles, mixed veggie, lightly sesame oil



SOJU

Daejangbu, 21% ABV, premium rice soju
'50' soju, 17% ABV, house blend infused, w/ginseng
Kuro Yokaichi Shochu, 25% ABV, japanese sweet potato soju

NON-ALCOHOLIC

Strawberry Mint Spritzer, strawberry, mint, lemon
Shiso Lemonade, shiso, yuzu
Virgin Pina Colada

BEER

Tsing Tao, Kloud Japanese Lager
Lagunitas IPA, Hitachino White Ale
Duvel Belgian Golden Ale, Sapporo, Draft, BTL

BRUNCH COCKTAILS

Blood Orange Minosa, prosecco, blood orange, grapefruit liqueur
Blood Mary, skyy vodka, tomato juice, horseradish
Spicy Guava Margarita, corazon tequila, guava, chipotle, lime

Sushi

Raw, *Tuna 2.95 gf / *Escolar White Tuna 2.95 gf
*Salmon 2.95 gf / *Albacore Tuna 3 gf /
*Squid 2.75 gf / *Yellowtail 3 gf / *Scallop 3.25 gf
*Mackeral 2.75 gf / *Uni Egg (sea urchin) 8 gf
*Mendaiko Uni 9 gf / *Smelt Fish Egg 2.5 gf
*Flying Fish Egg (tobiko) 3 gf
*Salmon Egg (ikura, soy marinated) 3.5
Cooked, Crab Stick 2.5 / Cooked Shrimp 2.75 gf
Egg omelette cake 2.5 / Octopus 2.75 gf
Ponzu Inari 2.5 / Smoked Salmon 2.75 gf

Signature rolls

Eggplant Arti Tuna roll (Soypaper) 13.5, artichoke
seared cooked ahi tuna, asparagus, marinated eggplant
Soy roll (Soypaper) 13, crab, avocado, cucumber, steamed
carrot, golden beets, spinach
Qome Back (Cucumber wrap) 14.5 gf, salmon, tuna,
kani, avocado, cucumber, scallion
Rock Shrimp (Soypaper) 13.5, avocado, kani salad,
shrimp tempura, spicy amarillo mayo
*Salmon Lemon roll 13.5, crab salad, cream cheese, avocado,
salmon, lemon, mendaiko, sauce
*Berry Good roll 13.5, shrimp tempura, spicy tuna, avocado,
King Crab (Soypaper) 18 gf, real king crab, asparagus, cuke,
avocado, spinach, sauce
Veggie Wrap roll (Cucumber Wrap) 8 gf, kani, avocado,
cucumber, steamed carrot
Tomato roll (Ricepapper) 12 gf, cucumber, avocado, mango,
asparagus, spinach, tomato, raisin. straw glaze
Rice Power 12 gf, steamed carrot, asparagus, cuke, avo, beets, spinach,
cilantro, tofu, vegan straw sauce

*Consuming raw or undercooked meats, poultry, seafood, shellfish and eggs may increase your risk of foodborne illness. These menu items may be served raw or undercooked. Before placing your order. Please let us know about any food sensitivities and allergies. separate checks please. Sizzling hot stone bowl and pots are very hot. Please do not touch and keep away from kids. Prices and menu are subject to change without notice.

























LAW OFFICES

ADKISON, NEED, ALLEN, & RENTROP

PROFESSIONAL LIMITED LIABILITY COMPANY

PHILLIP G. ADKISON
KELLY A. ALLEN
ROBERT M. GOLDMAN
JESSICA A. HALLMARK
GREGORY K. NEED
G. HANS RENTROP

39572 Woodward, Suite 222
Bloomfield Hills, Michigan 48304
Telephone (248) 540-7400
Facsimile (248) 540-7401
www.ANAfirm.com

OF COUNSEL:
KEVIN M. CHUDLER
KATHERINE A. TOMASIK

September 30, 2020

Via Electronic Mail

Jana Ecker, Planning Director
City of Birmingham
151 Martin St.
Birmingham, MI 48012

**Re: 2020 Initial Screening Bistro Application for Sushi Japan
176 S. Old Woodward**

Dear Ms. Ecker:

Attached is Sushi Japan's submission for the October 1, 2020 Initial Screening for Bistro Applications.

Please accept this for consideration by the City Commission. Please confirm your timely receipt of this submission and let us know when the City Commission meeting to consider this application will take place.

We look forward to presenting this concept to the City.

Please contact me if you have any questions.

Thank you for your assistance.

Very truly yours,

ADKISON, NEED, ALLEN, & RENTROP, PLLC

Kelly A. Allen

KAA/kjf
Enclosures

Cc: Charlie Yu (*via electronic mail*)

Sushi Japan

**176 S. Old Woodward Avenue
Birmingham, Michigan 48009**



**Proposal for Bistro License
September 30, 2020**

**Submitted by:
Kelly A. Allen
Adkison, Need, Allen, & Rentrop, PLLC
39572 Woodward Ave., Suite 222
Bloomfield Hills, MI 48304**

SUSHI JAPAN

Description of Bistro Concept/Owner

Sushi Japan will primarily offer authentic Chinese cuisine. The menu is the result of years of research into fusion cooking, and experience in Chinese and Japanese culture.

Sushi Japan is located in the heart of downtown Birmingham at 176 S. Old Woodward, previously the site of “Mediterranean Street Food.” The space is undergoing a complete renovation and will be beautiful with modern décor offering full service. The highlight of the restaurant will be the open kitchen so that the guests can see the creation of the cuisine.

The landlord is Merrillwood Collection Investment, LLC. The proposed opening date is late October, 2020.

Sushi Japan will have 56 indoor seats, outdoor dining, the required glazing, and will otherwise meet the requirements for a “Bistro” under the City’s ordinances. The ability to offer full service, including alcohol, is critical to the success of this small business.

The owner of Sushi Japan is Ximing (“Charlie”) Yu. Charlie and his family came to the United States from China in 2008. Charlie’s family has operated Chinese restaurants in China and in the United States. Charlie has been in the “family business” since he was 15 years old. He has worked in every capacity in the restaurant business. He is an expert at business, food, and social media management. He has been a host, a cashier, a chef, and a server. Currently, Charlie is a sushi chef at the Kona Grill.

Charlie’s energy and desire to own and operate his own business, combined with his experience and unique talent, will bring a Bistro to the downtown which will diversify the dining choices for the City’s residents and beyond. Charlie believes that Sushi Japan will become a clear destination for diners seeking an authentic Chinese experience.

One of Charlie’s special talents is the art of making noodles, including Chinese specialties and ramen. He prides himself in the presentation of his dishes and excellent customer service.

Unique Characteristics

Sushi Japan will be different than other Asian cuisine in the City. It will offer primarily Chinese cuisine, whereas the other full-service restaurants in the City are primarily Korean or Japanese cuisine.

Employees and Hours of Operation

Sushi Japan will employ an expert executive Chef and approximately 8 employees.

Sushi Japan will be open for lunch and dinner. The hours of operation will be Monday through Saturday from 11:00 am to 11:00 pm and on Sunday from 11:00 am to 9:30 pm.

Executive Chef

Sushi Japan has partnered with Executive Chef Yuen. Chef Yuen has more than 30 years of experience in American, Japanese, and Chinese restaurants.

Chef Yuen brings Chinese culture and cuisine together to present unique and delicious dishes from the open kitchen to the table with a wonderful presentation. She creates unique fusion noodles, ramen, and sauces. Chef Yuen is proud of her commitment to using fresh ingredients which enhance the taste of all of her creations.

Chef Yuen will also manage the back of the house in a first-class manner.

Financial Ability To Construct and Operate the Proposed Bistro

Charlie has employed and paid for the services of an expert contractor. He has the financial ability to complete the project, purchase a liquor license, and operate the restaurant. As Charlie's counsel I have reviewed of Charlie's Chase Bank account statement which shows more than sufficient funds to open and operate. This bank record can be produced if requested.

SUSHI JAPAN

Japanese, Asian, Chinese Food and Fusion Noodles
Lunch 11am-3pm Tel:248-000-0000

Available Hours(Open for Dine-In)
Mon-Thur. 11am-10:30pm
Fri-Sat. 11am-11pm
Sun. 11am-9:30pm

Gift certificates available
Dine-In and Carry-Out
176 S. Old woodward ave.
Birmingham, MI 48009

Starters (Appetizing Nibbles)

Tempura (lightly battered deep fried, w/sauce)
Vegetable 5, Double size 9
All sweet potato 6
Calamari 8.5, Avocado (add 3),
Shrimp (2pcs, add 4), (5pcs, add 10)
Chicken (2pcs, add 3), (5pcs, add 7)
Softshell crab & vegetable 10

Edamame (sea salted steamed soybeans) 4.5
Vegetarian spring rolls (w/sauce) 5.5
Dumpling (beef & veggie gyoza) 5.5
(choice: steamed or fried, w/sauce)
Agedashi tofu (lightly fried tofu, w/sauce) 5.5
Steamed tofu (w/house-made sauce) 5.5
Shrimp shumai (steamed, w/sauce) 5.5
Crab shumai (steamed, w/sauce) 6.5

*Prime ribeye truffle slider 20

Beverage

Soft drink 1.5 (coke, diet coke, sprite, zero coke)
Green Tea 1.5 **Lemonade** 2.25
Ice tea 2.25
Japanese ramune 2.95

Salad

Green Salad 4.95
(iceberg lettuce, spinach, house-made miso dressing)
Kani cucumber salad (sunomono) 5.5
(cuke, crab stick, light sweet vinegar sauce, sesame seeds)
Seaweed Salad 5.5
Calamari salad 6.95

Bibim Noodles

Niku noodles (korudo bibim), no broth
(Mixed bibim Japanese buckwheat or wheat noodles, veggie,
mild spicy sauce, steamed egg),
-Teriyaki bibim noodles 10
-Chicken or Tofu or Veggie bibim noodles 12
-Beef shabu-shabu or Shrimp bibim noodles 14
-Spicy Pork shabu-shabu bibim noodles 13
-Kotsu (Chicken or Pork) bibim noodles 13
-Kimchee bibim noodles 13,
-Kal-bi bibim noodles 17
-Vernicelli bibim noodles 13
-Gluten-free premium soft white vermicelli 13
-Bean noodle 12
(chilled white soybean broth, w/somen noodles)
-Cold Dan Dan noodles 12
(ground pork stir fried chinese sauteed vegetable)

Soup

White miso soup 3.5
(white soybean based broth, silken tofu, scallion, wakame)
Veggie soup (Japanese chicken broth, w/noodle, veggie) 5.5
Spicy tofu soup 5.5
(silken tofu, w/mild spicy dashi broth & noodle, veggie)
Spicy seafood soup 8.95
(mild spicy dashi broth, w/shrimp, scallop, mussel & veggie)
Somyen soup 5.5, **Wonton Soup** 6
Rice glutinous sesame balls 5.5
Shanghai steamed soup bao 7
Fish dumpling soup 6
Hot and Sour Veggie Soup 5

Broth Noodles

Udon, うどん
(thick white wheat noodle in Japanese dashi broth, w/veggie, Inari)
-Plain udon 6, -Beef udon 14
-Tofu or Veggie or Chicken udon 11
-Jalapeno or Broccoli udon 13
-Shrimp & Veggie tempura udon 11
-Spicy shrimp or Spicy seafood udon 14.5
-Miso Udon (white miso broth base) 11
Soft tofu somyen noodle 12
(white miso broth, w/silken soft tofu, somen, scallion)
Somyen noodle 12
Japanese style chicken broth, w/somen noodles, mixed
veggie and lightly sesame oil)
Bean noodle 12
(chilled white soybean broth, w/somen noodles)

Ramen and Fusion Noodles

Chinese Wok Noodles (yaki)
(Japanese wok sauteed udon noodles, mixed veggie, w/rice)
-Veggie or Chicken or Tofu yaki 11
-Beef or Shrimp yaki 14.5, -Spicy pork yaki 14
Glass noodles (Japchae)
(steamed veggie, glass sweet potato noodles, w/rice)
-Chicken or Tofu or Veggie clear noodle 12.95
-Beef shabu-shabu or Shrimp clear 14.5,
-Spicy(mild) pork clear 14

Ramen

(Japanese style white soy base miso and chicken broth, w/veggie,
baby bok choy, scallion, broccoli, mild spicy sauce, steamed egg)
-Veggie 11, Chicken or Tofu or Miso Veggie ramen 12
-Beef shabu-shabu or Shrimp ramen 13.5
-Spicy(mild) Pork shabu-shabu ramen 13
-Kotsu (Cutlet: Chicken or Pork sirloin) ramen 13
-Kimchee ramen 13, Kalbi Ramen 17
-Bibim Veggie ramen 12 (add: Beef2, Chicken2, Pork2)
-Black bean ramen 13
-Curry Veggie ramen 13

(Ramen history is a bit over 100 years old in Japan, dating
back to the first credited shop in 1910)

Sides: Fried Noodles 5, Asian Vegetables 5, Fried Rice 5,
Steamed White Rice 2, Steamed Brown Rice 3

*Consuming raw or undercooked meats, poultry, seafood, shellfish and eggs may increase your risk of foodborne illness. These menu items may be served raw or undercooked. Before placing your order. Please inform your server of any food allergies or dietary restrictions.

SUSHI JAPAN

ALCOHOLIC MENU



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SAKE

Hot Sake
White Sake Punch
Kikusui, Niigata, Honjozo,
very dry SMV +8
Hakkisan, Niigata, Tokubetsu Jummaj,
dry SMV +5
Dassai 50, Yamaguchi, Junmai Daiginjo,
dry SMV +5

WHITES

Sauvignon Blanc, Pierre Martin, Les Monts Damnes,
Riesling Dry, Silver Thread, 2015
Chenin Blanc, Backsberg, 2017
Chardonnay, Roth, 2014
Olivier Leflaive, Bourgogne Blanc, Les Setilles, 2015
Boyer-Martenot, Les Narvaux, Meusault 2015

REDS

Pinot Noir, Pere & Fils, Chanson Bourgogne, 2014
Cabernet Sauvignon, Avalon, 2015
Pinot Noir, Sharecropper's, 2015
Saint-Joseph, Laurent Betton, 2015
Tempranillo, Reserva, Imperial, CVNE, 2012

COCKTAILS

China Punch, rum, fruit juice, Chinese liqueur
Mai Tai, Favorite Tahitian mixture of rum, lemon
Sake Flights
Tokyo Drift, skyy vodka, yuzu, shiso
Soju Sangria, sparkling shiraz, fruit-infused soju,
aranciate
Singapore Sling, sole gin, dry gin, lime
Spicy Guava Margarita
Shiso Julep, old overholt rye whiskey, shiso,
lemon, angostuna bitters

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SOJU

Daejangbu, 21% ABV,
premium rice soju
'50' soju, 17% ABV,
house blend infused, w/ginseng
Kuro Yokaichi Shochu, 25% ABV,
japanese sweet potato soju

NON-ALCOHOLIC

Strawberry Mint Spritzer, strawberry,
mint, lemon
Shiso Lemonade, shiso, yuzu
Virgin Pina Colada

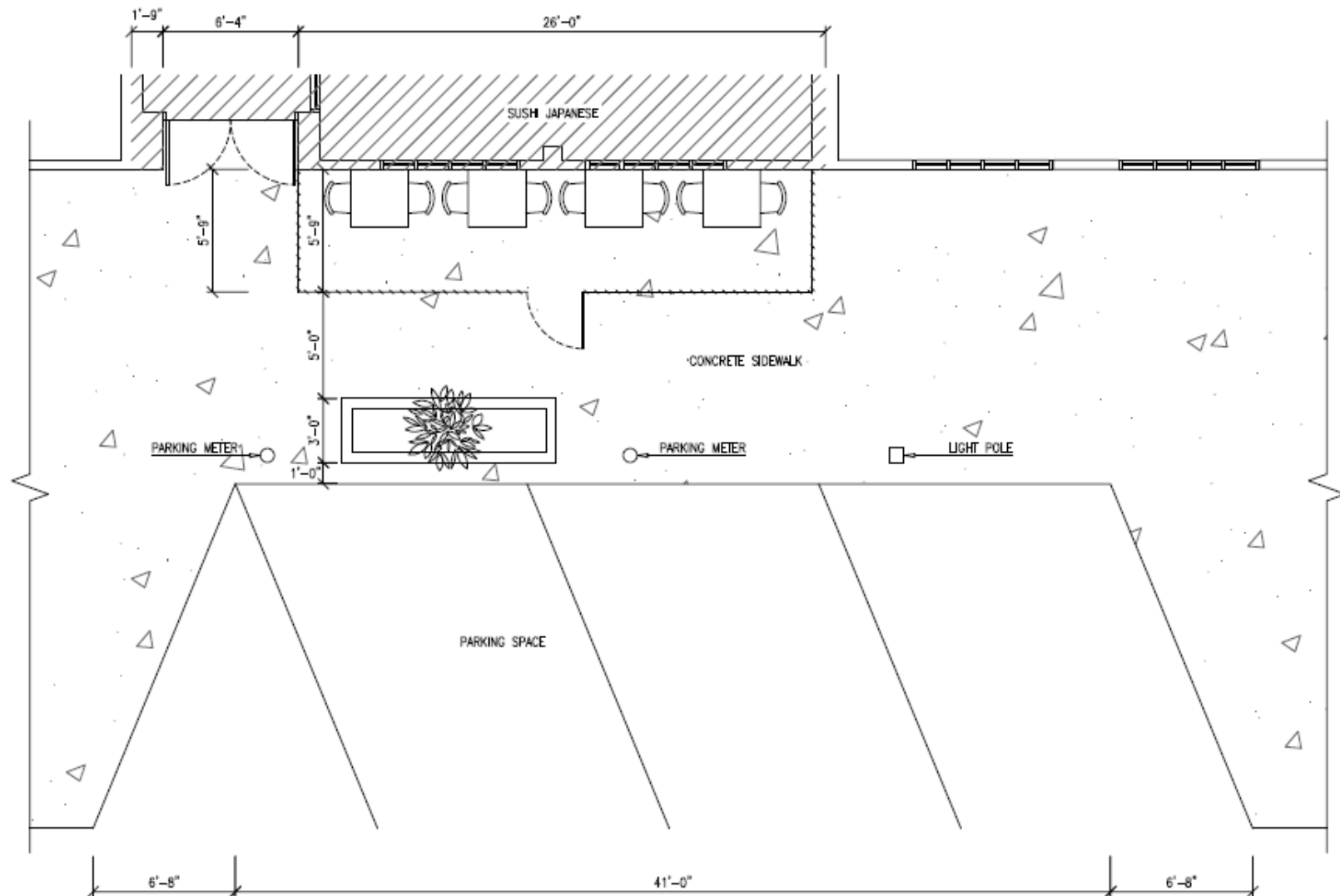
BEER

Tsing Tao
Kloud Japanese Lager
Lagunitas IPA
Hitachino White Ale
Duvel Belgian Golden Ale
Sapporo, Draft, BTL

BRUNCH COCKTAILS

Blood Orange Minosa, prosecco,
blood orange, grapefruit liqueur
Blood Mary, skyy vodka, tomato juice,
horseradish
Spicy Guava Margarita, corazon tequila,
guava, chipotle, lime





SITE PLAN

SCALE: 1/4"=1'-0"

S. OLD WOODWARD AVE