City Of Birmingham
Regular Meeting Of The Planning Board
Wednesday, January 26, 2022
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on January 26, 2022. Vice-Chair Bryan Williams convened the meeting at 7:30 p.m.

A. Roll Call

Present: Vice-Chair Bryan Williams; Board Members Robin Boyle, Stuart Jeffares, Daniel Share, Janelle Whipple-Boyce; Alternate Board Member Nasseem Ramin (left at 7:37 p.m.)

Absent: Chair Scott Clein; Board Member Bert Koseck; Alternate Board Member Jason Emerine

Administration:
Nick Dupuis, Planning Director
Leah Blizinski, City Planner
Brooks Cowan, Senior Planner
Laura Eichenhorn, City Transcriptionist

F&V: Julie Kroll

01-13-22

B. Approval Of The Minutes Of The Regular Planning Board Meeting of January 12, 2022

The Board made the following amendments to the minutes: on page four, last line, 'context' should be 'neighborhood'; on page five, second paragraph under Outdoor Dining, that 'if the Board were to recommend year-round outdoor dining then' should be added between 'that' and 'more'; on page one, 'previous' should read 'previously'; on page three, second full paragraph down, 'On the same page, he said' should be deleted; on page three, fourth full paragraph down, 'The quoted statute does not support speed limits lower than 25 mph.' should be added; and, on page eight, 'Daxon' should be changed to 'Daxton'.

Motion by Mr. Share
Seconded by Mr. Boyle to approve the minutes of the Regular Planning Board Meeting of January 12, 2022 as amended.

Motion carried, 6-0.

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

01-14-22

C. Chair's Comments

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

01-15-22

D. Review Of The Agenda

01-16-22

E. Unfinished Business

None.

01-17-22

F. Rezoning Applications

None.

01-18-22

G. Community Impact Studies

1. 770 S. Adams – Request for a new 4 & 5-story mixed use building

Ms. Ramin recused herself from the item due to a business relationship and departed the meeting at 7:37 p.m.

Vice-Chair Williams and PD Dupuis noted that Chair Clein, Messrs. Koseck and Emerine, and Ms. Ramin each recused themselves from this item due either to business relationships with the ownership team or business relationships with a member (or members) of the development team.

Chris Longe, architect, and Nico Schultz, of Soave Enterprises, spoke on behalf of the project. Mr. Longe noted that the three principals in the project are the Forbes Group, Hunter Pasteur Homes, and Soave Enterprises.

PD Dupuis reviewed the item.

Vice-Chair Williams noted the Board received a letter from Ms. Kroll dated January 25, 2022, and a response from the applicant team dated January 26, 2022. He noted those letters had not yet been made available to the public. He noted the Board also received a summary of the project's preliminary site plan from the City's Engineering Department after the agenda packets were sent out. He stated that the late receipt of materials puts undue pressure on the Board members. He stated that Board needs to review its procedures in order to ensure that all required materials for a project are included in the agenda packet when it is sent out so the Board and the public have sufficient time for review.

Ms. Kroll reviewed her findings. She noted she received the information late the week of the January 17, 2022 and put together her findings over the weekend. She said that there was not enough information in the traffic study for her to make an informed recommendation on the traffic aspects of the project. Ms. Kroll stated that the remaining traffic items could be addressed prior to final site plan approval.

Mr. Share said the Board would need to better understand the potential impacts of the project on the Lincoln-Adams intersection.

Paul O'Meara, traffic engineer for the applicant team, said he did not think it would take much time for the applicant to resolve the listed items in Ms. Kroll's letter.

Mr. Schultz concurred.

Vice-Chair Williams noted that the applicant's January 26, 2022 memorandum indicated that the developer would provide at least two dedicated parking spaces in the structure for employees.

Mr. Longe stated that the applicant would meet the City's requirements for on-site stormwater detention and for mitigation of dust, noise, and debris.

Mr. Longe noted that accommodating the Worth Street realignment as currently proposed would require the applicant to relinquish a bit over a half an acre of the property, which is equivalent to a third of the entire property, to the City.

Mr. Schultz said the applicant team was willing to have the conversation about Worth Plaza with the City and described a potential alteration to the Worth Plaza plans that he thought might be more appropriate.

Mr. Longe contended that commercial tends not to be successful along S. Adams, especially with limited parking available, and that the applicant's proposal for residential along S. Adams would be a better use.

Mr. Jeffares disagreed with Mr. Longe. He said putting residential on S. Adams would fail to activate the street and expressed concern that this area could end up similar to All Seasons. He said he had not seen a vacancy in Adams Square last longer than a couple of months. He noted this area was sufficiently close to ~~a~~ the proposed parking deck to support retail. He noted that he was enthusiastic about the project in general but not about this aspect.

In reply to Mr. Boyle, Mr. Longe noted that there is a minimum requirement for domestic noise suppression per building code, and that this project intends to exceed those requirements.

<u>Public Comment</u>

Mr. Bloom recommended that the City explore jointly expanding the parking offered by this project in order to make some of it accessible to public. He also asked whether the residential on S. Adams would have accessible design that could accommodate potential senior residents.

Motion by Mr. Boyle
Seconded by Ms. Whipple-Boyce to accept the Community Impact Study (CIS) as provided by the applicant for the proposed development at 770 S. Adams with the following conditions:

1. **The applicant engage with City Staff to discuss the Worth Plaza; and,**
2. **The applicant in consultation with Staff undertake completion of the transportation requirements as stated in the reports tabled tonight.**

Vice-Chair Williams said he would be more comfortable if the Engineering Department and Ms. Kroll's comments were resolved before advancing the CIS. He said he felt that Mr. Jeffares' comments could be addressed as part of the site plan conversation.

Ms. Whipple-Boyce said she thought the CIS could be advanced even with the remaining issues.

Mr. Share said he was reluctant to advance the CIS since the traffic issue, which was not yet resolved, could impact the site plan review.

Mr. Jeffares said he would be comfortable advancing the motion if the conditions had to be met within a certain amount of time.

Vice-Chair Williams concurred with Mr. Jeffares.

<u>**Public Comment**</u>

Mr. Longe assured the Board that the applicant could quickly resolve the traffic and engineering issues.

Motion failed, 2-3.

ROLL CALL VOTE
Yeas: Boyle, Jeffares
Nays: Whipple-Boyce, Share, Williams

Motion by Mr. Share
Seconded by Ms. Whipple-Boyce to postpone consideration of the Community Impact Study as provided by the applicant for the proposed development at 770 S. Adams to February 23, 2022.

Vice-Chair Williams noted that this should be a relatively brief discussion at the February 23, 2022 meeting since the traffic and engineering issues are the only remaining ones to be addressed.

Motion carried, 5-0.

ROLL CALL VOTE
Yeas: Boyle, Whipple-Boyce, Share, Williams, Jeffares
Nays: None

01-19-22

H. Special Land Use Permits

1. 100 Townsend – Townsend Hotel – Request for a new outdoor dining platform in the Townsend right-of-way

PD Dupuis summarized the request to postpone.

Motion by Mr. Share
Seconded by Ms. Whipple-Boyce to amend the rules of procedure to permit a combined meeting on March 9, 2022 during which study session items and site plan reviews can be conducted.

Motion carried, 5-0.

ROLL CALL VOTE
Yeas: Share, Whipple-Boyce, Jeffares, Boyle, Williams
Nays: None

Motion by Mr. Share
Seconded by Mr. Boyle to postpone consideration of the special land use permit and final site plan and design review for 100 Townsend – Townsend Hotel to March 9, 2022.

Mr. Share asked that the Board be provided a schematic that shows all of the parking on Townsend in relation to the location of the other dining deck and in relation to the Townsend's proposed deck.

Motion carried, 5-0.

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

01-20-22

I. Site Plan & Design Reviews

1. 100 Townsend – Townsend Hotel – Request for a new outdoor dining platform in the Townsend right-of-way

Postponed as part of the motion in Item H1.

2. 159 N. Eton – Canelle – Request for new outdoor dining patio and site changes

Motion by Mr. Share
Seconded by Mr. Jeffares to postpone consideration of the site plan and design review for 159 N. Eton – Canelle to March 9, 2022.

Motion carried, 5-0.

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

3. 770 S. Adams – Request for a new 4 & 5-story mixed use building

PD Dupuis reviewed the item.

Mr. Williams said the design of the south side of the building would be important because it would impact a potential development to the south.

Mr. Boyle noted that the low quality of some of the images included made it very difficult to review the plans.

Mr. Longe confirmed that the loading dock would meet the ordinance requirements.

Ms. Whipple-Boyce echoed Mr. Jeffares' previous statement that retail would be better than residential on S. Adams. She said that the current design of the residential on S. Adams could not be less inviting in terms of pedestrian activation. She noted that the excess parking available in the parking garage could help support the retail on S. Adams.

If the applicants were not willing to add retail on S. Adams, Ms. Whipple-Boyce said it would be more beneficial to swap the location of the first-floor amenities and the first-floor residential. Each Board member shared their general agreement with this recommendation, noting that even if some of the amenities were moved to S. Adams, or if some retail and some amenities were located on S. Adams, it would be a better design.

The Board was also not in favor of the drive-through ATM proposal.

Ms. Whipple-Boyce said she had been hoping to see more affordable units, and was sorry to see that the square footage increased per unit from the proposal previously approved for this site. She noted that the corridors are very long, and the distance from the elevators to the units is long. She noted that resulted from the larger-than-required parking garage. She said she found that unfortunate.

In reply to an inquiry from Ms. Whipple-Boyce, Mr. Longe stated that there were three three-bedroom units proposed for the site.

Randy Wertheimer of Hunter Pasteur Homes summarized the rooftop amenities.

Mr. Boyle said this proposal did not have enough residential units for the Triangle, and that this plan gave more room to 'parking tin' instead. He said there was too much attention paid to the rooftop pool which could only be used in warmer weather. He said that the indoor amenities on the ground floor could be made more attractive. He explained that he was glad to see a project proposed for this area and also that he thought improvements could be made.

Mr. Share echoed Mr. Jeffares' concern that S. Adams could resemble All Seasons. Mr. Share said that the plan had a lot of things the City wants, and that allowing this project could possibly encourage more projects that will activate S. Adams in the future. He said he liked the project, and hoped the applicant would take the Board's suggestions to heart to make the project better.

Mr. Jeffares said amenities like a hot tub or a fire pit would get more rooftop use in winter. He encouraged the applicant to work with the City regarding Worth, noting that even if the City's initial plans are not fully implemented it could still be beneficial for both parties. He said that since this is the first development in this area he would be willing to compromise on some things, but that the applicant could still better align the project with the intent of the Triangle Plan.

Ms. Whipple-Boyce asked the applicants to consider installing a sidewalk on their property in the abutting alley.

Vice-Chair Williams said he was not troubled by the proportion of retail to residential proposed, and agreed with Mr. Boyle that the Triangle is the prime area in the City to add multi-family residential.

Ms. Whipple-Boyce noted that the building could be made taller, which could also allow them to remove the residential from S. Adams. She said that in addition to swapping the location of the first-floor amenities and the first-floor residential, the applicant should consider other ways of potentially improving the project during the item's postponement.

Mr. Schultz said the applicant team would take the Board's feedback into consideration. He said that making the building taller would add to the developer's expense, and said that they believed the residences required more than 1.25 parking spaces per unit but less than two, hence the parking in excess of the ordinance requirement.

Motion by Ms. Whipple-Boyce
Seconded by Mr. Jeffares to postpone consideration of the Preliminary Site Plan for the proposed development at 770 S. Adams to February 23, 2022.

Motion carried, 5-0.

ROLL CALL VOTE
Yeas: Whipple-Boyce, Jeffares, Boyle, Share, Williams

Nays: None

01-21-22

J. Study Session

None.

01-22-22

The Vice-Chair called for a brief recess at 10:02 p.m.

The meeting reconvened at 10:07 p.m.

K. Miscellaneous Business and Communications

1. **Pre-Application Discussion – Gasow Veterinary Hospital**

PD Dupuis introduced the request.

Mike Matthys, architect, summarized the request. Mike Bailey, co-owner of the property, and Dan Lorimer, veterinarian, also spoke.

Board members noted that the building's massing and north face would likely receive particular attention at a site plan review.

2. **Communications**
3. **Administrative Approval Correspondence**
4. **Draft Agenda for next meeting**
5. **Other Business**

Mr. Share suggested the Board re-evaluate how the permitting of an extra floor occurs in the case of LEED certification, since the City could give approval for an additional floor only to find later that LEED certification was not ultimately obtained.

01-23-22

L. Planning Division Action Items

a. Staff Report on Previous Requests

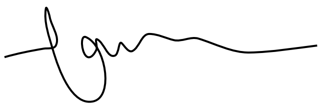
b. Additional Items from tonight's meeting

01-24-22

M. Adjournment

No further business being evident, the Vice-Chair adjourned the meeting at 10:26 p.m.

Nick Dupuis
Planning Director



Laura Eichenhorn
City Transcriptionist