City Of Birmingham
Regular Meeting Of The Planning Board
June 26, 2024
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on June 26, 2024. The meeting was convened at 7:30 p.m.

A. Roll Call

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

Absent: Board Member Robin Boyle

Staff: City Planner Blizinski, Senior Planner Cowan, City Transcriptionist Eichenhorn, Parks and Recreation Manager Laird, Department of Public Services Director Zielinski

B. Approval Of The Minutes Of The Regular Planning Board Meeting of May 22, 2024

06-19-24

Motion by Mr. Williams
Seconded by Mr. Share to approve the minutes of the Regular Planning Board meeting of May 22, 2024 as amended.

Motion carried, 7-0.

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

C. Chair's Comments

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

D. Review Of The Agenda
E. Meeting Open to the Public for Items Not on the Printed Agenda
F. Unfinished Business
G. Courtesy Review

1. **Booth Park Trail Improvements Plan**

PRM Laird introduced the plan and Sue Grissim of Grissim Metz Andriese Associates and Jim Surhigh of Hubbell Roth and Clark presented the plan. Staff, Ms. Grissim, and Mr. Surghigh answered informational questions from the Board.

Board member discussion of the item was as follows:

- It might be worthwhile to consider adding signage indicating that the park is in the Market North area of the City. A masonry building might be more appropriate than a prefabricated building. The plans overall were commendable.
- It might be more appropriate to flip items four and two on the plan. It might also be appropriate to replace the prefabricated structure with a custom building. Otherwise, ivy on the prefabricated structure might be appropriate. The plans in general made the park better and more welcoming. Locating the restroom closer to the sidewalk would be better.
- The team was very responsive to residents' comments regarding the plans. Adding a path by number 13 on the plans that will cut across the rain garden may be beneficial because some residents are accustomed to entering the park from that direction. Adding trashcans throughout the park would be beneficial as well. The plans were beautifully done.
- The prefabricated structure would detract from the park. The presently proposed location for the restroom detracts from the entryway to the park. The trees near the restroom would not resemble the trees in the plans for many years. The team obviously put a lot of effort into the plans and integrated a number of aspects from the 2040 Plan.

H. Rezoning Applications
I. Community Impact Study and Site Plan Review
J. Special Land Use Permits
K. Site Plan & Design Reviews

1. **33866 Woodward – Polestar/LaFontaine Auto Group – Request for site plan extension for auto sales agency including minor design changes**

SP Cowan presented the item and Elizabeth Marchese of Lafontaine Automotive Group spoke on behalf of the item. Both answered informational questions from the Board.

The Chair noted that changes to the site plan and a site plan extension were being requested.

Board member discussion of the item was as follows:

- The plans remained aesthetically pleasing. The proposed use would be allowed by right. This proposal seemed reasonable as long as the ordinance was followed and the materials remain high quality.
- Cars should not be sold from the lot.
- The proposal satisfies the parking requirement and the proposed changes to the exterior design are attractive. The materials could be confirmed and approved administratively. It would be acceptable to grant the extension for longer than two months. The site would operate in the same way as the original proposal.
- Alternatively, the Board does not usually amend or grant a new a site plan without going through the entire review process. An extension of the present site plan in order to begin that process could be appropriate. An extension would also be appropriate since the project's financing is not yet in order.

<u>Public Comment</u>

Julie Fairbrother, Sherry Marcus, and Neetu Grewal opposed test drives of the vehicles in the residential neighborhood behind the site.

In reply to comments about noticing, the Chair clarified that this project was noticed according to the state's legal requirements both times it had been before the Board.

Ms. Marchese addressed two questions from the public.

06-20-24

Motion by Ms. Whipple-Boyce
Seconded by Mr. Koseck to approve the final site plan and design review extension request for 33866 Woodward – The Vault – and extend the site plan for 12 months with the following conditions:

1. **The applicant must obtain Administrative Approval for the façade changes and new signage; and,**
2. **The applicant must comply with the requests of all City Departments.**

Individual Board member comments on the motion were as follows:

- **This motion was not the most appropriate procedural option.**

Public Comment
The Chair answered two informational questions from Ms. Marcus.

Motion carried, 5-2.

ROLL CALL VOTE
Yeas: Whipple-Boyce, Ramin, Clein, Koseck, Jeffares
Nays: Williams, Share

2. **685 E. Maple – Kroger/Volta – Design Review request for new illuminated electric vehicle charging stations in existing off-street parking facility**

CP Blizinski presented the item. Ralph Wyngarden, attorney, spoke on behalf of the project. Both answered informational questions from the Board.

Board member comment on the item was as follows:

- The Planning Department did not believe this complied with either the lighting or the signage ordinances for Birmingham. Birmingham tends to have small signs, and this would be contrary to that. There are residences nearby, and it was not clear whether the stations would have audio. This would be entirely inappropriate to approve.

06-21-24

Motion by Mr. Share
Seconded by Ms. Whipple-Boyce for the Planning Board to adopt as findings of fact the matters[1] set forth in the Planning Division's report of June 26, 2024 regarding

[1]As amended at the July 10, 2024 meeting.

685 E. Maple, and that we, the Planning Board, denies design review approval for the following reasons:

1. **The proposed media stations do not meet the sign ordinance standards for broadcast media devices.**
2. **The proposed media stations do not meet the sign ordinance standards for illumination.**
3. **The proposed lighting elements on the media stations are not cut off or full cut off.**
4. **The proposed media stations do not comply with the standards of subsection 4, 5, 6, and 7 of Article 7, Section 7.09 of the zoning ordinance.**

Motion carried, 7-0.

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

3. **139 W. Maple – Field Building – Request for Preliminary Site Plan Review for new 4-story addition to rear of existing building in Downtown Birmingham**

Mr. Share recused himself based on his professional representation of some immediately adjacent property owners and left the room at 9:03 p.m.

Mr. Emerine sat on the Board as a voting member for the duration of the item.

SP Cowan presented the item. Chris Longe, architect, and Ken Kojian, owner, spoke on behalf of the project. All answered informational questions from the Board.

Board member discussion of the item was as follows:

- This proposal would not look appealing if it were repeated on other buildings in the downtown.
- Additions to historic buildings just have to be subordinate to the historic building, and it is not a historic requirement that the addition be set so far back.
- This is a clever design, and a good way to get an outdoor use in an urban setting. If the Board accepted that this proposal was five stories, then the City would receive increased proposals for four story buildings with two floors of office and one floor of residential, which would not align with the letter or the spirit of the ordinance.
- Mr. Kojian was willing to make the top level into an additional portion of the structure and to connect it to the fourth floor.
- If a fifth floor is added to the plans, additional items in the Building Code would come into effect. It was somewhat surprising that this is the first proposal of this type. This would be less of a multiple-story addition to a historic building, and more similar to an additional building in the rear of the building that cannot be viewed from the street. It was an aesthetically-pleasing and interesting proposal.

06-22-24

Motion by Mr. Williams

Seconded by Mr. Emerine to approve the preliminary site plan for 139 W. Maple subject to the following conditions:

1. **The Planning Board incorporates the findings set forth in the Planning Department's report dated June 26, 2024 with respect to 139 W. Maple from Nick Dupuis to the Planning Board members.**
2. **The applicant must provide all of the detail requested by the Planning Department at Final Site Plan; and,**
3. **The applicant must comply with the requests of all City Departments.**

Motion carried, 7-0.

VOICE VOTE
Yeas: Williams, Emerine, Whipple-Boyce, Ramin, Clein, Koseck, Jeffares
Nays: None

L. Study Session

1. **The Birmingham Plan 2040 – Next Steps**

Mr. Share rejoined the meeting at 9:32 p.m., replacing Mr. Emerine on the Board.

SP Cowan presented the item and answered informational questions from the Board.

Board member discussion of the item was as follows:

- It may confuse residents if a category for the 2040 Plan is listed as a standing item on every agenda. It may also be inappropriate to have the topic on every agenda since the second meeting of each month is supposed to be dedicated to site plan and design reviews. That said, it could be argued that this is a specific request from the Commission.
- The 2040 Plan should be discussed at each study session meeting, and not at the site plan and design review meetings. It could be added to site plan and design review meetings on an ad hoc basis.
- The Rules of Procedure specify that long range planning activities should occur on the second Wednesday of every month.
- Adding it as another category on the agenda, which is not always addressed, should not be an issue.
- It would be most appropriate for it to be a standing item for the meetings held on the second Wednesday of the month.

M. Miscellaneous Business and Communications

1. **Pre-Application Discussions**
    i. **185 N. Old Woodward – Sign and Facade Pre-Application**

CP Blizinski presented the proposal.

Board consensus was that the request should not be administratively approved.

2. **Communications**
3. **Administrative Approval Correspondence**
4. **Draft Agenda**

06-23-24

Motion by Mr. Williams
Seconded by Mr. Share to change the July 10, 2024 meeting to be a hybrid to consider site plan submittals and a study session.

Motion carried, 7-0.

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

5. **Action List - 2024**
6. **Other Business**

Board members recommended that:

- The 685 E. Maple parking lot have its parking recalculated due to some changes that have occurred since the last calculation.
- The Board review its Rules of Procedure at a future meeting.
- Planning staff consider whether to continue listing all potential categories of Planning business on each agenda, even if there is no proposed project or topic for a given category.

N. Planning Division Action Items

a. Staff Report on Previous Requests
b. Additional Items from tonight's meeting

O. Adjournment

No further business being evident, the meeting was adjourned at 9:49 p.m.

Nick Dupuis, Planning Director

Laura Eichenhorn, City Transcriptionist