

**City Of Birmingham**  
**Regular Meeting Of The Planning Board**  
**December 11, 2024**  
City Commission Room  
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on December 11, 2024. The meeting was convened at 7:30 p.m.

**A. Roll Call**

**Present:** Chair Scott Clein, Vice Chair Bryan Williams; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Daniel Share, Janelle Whipple-Boyce; Alternate Board Member Jason Emerine (non-voting)

**Absent:** Alternate Board Member Nasseem Ramin

**Staff:** Planning Director Dupuis; Planning Intern Aldred-Arens, City Transcriptionist Eichenhorn, Building Official Johnson (left 8:45 p.m.), Fire Marshal Scaife (left 8:27 p.m.)

**B. Approval Of The Minutes Of The Regular Planning Board Meeting of November 13, 2024**

**12-45-24**

**Motion by Share**

**Seconded by Emerine to move the adoption of the minutes of November 13, 2024 as corrected.**

**Motion carried, 7-0.**

VOICE VOTE

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

Nays: None

**C. Chair's Comments**

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

**D. Review Of The Agenda**

**12-46-24**

**Motion by Williams**

**Seconded by Share to revise the agenda with three changes:**

- **Item L would now be Item K;**
- **former Item K would now be L;**
- **Flip two and three.**

**So 400 E. Lincoln would be number three under new L, and impervious surface would be number two under L.**

**Motion carried, 7-0.**

VOICE VOTE

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

Nays: None

**E. Meeting Open to the Public for Items Not on the Printed Agenda**

**F. Unfinished Business**

**G. Rezoning Applications**

**H. Community Impact Study and Site Plan Review**

**I. Special Land Use Permits**

**J. Site Plan & Design Reviews**

**K. Miscellaneous Business and Communications (Part I)**

**1. Pre-Application Discussions**

**i. 180 S. Chester – Chester St. Parking Deck**

Kevin Biddison, architect, spoke on behalf of the project.

Board consensus was that the proposal was interesting, and a further submission would need to return with support from City administration and more detail on a number of matters such as structural soundness, traffic circulation, impact on nearby residences, and parking demand in the area.

**L. Study Session**

**1. Generator Ordinance – Study Session**

FM Scaife, PD Dupuis, and BO Johnson presented the item and answered informational questions from the Board.

Board member comments were as follows:

- 'Current Michigan residential code' should be changed to something like 'then current or residential code in effect at the date of the application'.
- A superfluous 'are' should be removed from the final paragraph of the proposed ordinance.
- While not all lots in the City are rectangular, non-rectangular lots in the City tend to be larger. In those cases, while the application of the ordinance may require slightly more discernment, it is likely those circumstances will also tend to pose less of a generator-positioning challenge.

**12-47-24**

**Motion by Share**

**Seconded by Williams to set a public hearing for January 8, 2025, to review amendments to Article 4, Accessory Structure § 4.03 to add provisions for standby generators in accordance with the amendments presented today as corrected.**

**Motion carried, 7-0.**

VOICE VOTE

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

Nays: None

**2. Impervious Surface – Study Session**

PD Dupuis presented the item. Staff answered informational questions from the Board.

Board members raised the following points during discussion:

- Staff's proposed language diverged from low impact design best practices and from the Board's previous recommendations.
- The Board's recommendations would reduce stormwater impacts on residents by encouraging infiltration of water back into aquifers.
- The proposed language diverges from SEMCOG's Low Impact Development Manual for Michigan and from other low impact design manuals.
- This would be inappropriate to recommend to the Commission, given the City's and the Commission's explicit commitment to environmental sustainability.
- Concerns about excess gravel or stone in the open space in the ordinance could be addressed within the open space section of the ordinance.

**3. 400 E. Lincoln Property – Public Project Review Guidelines**

PD Dupuis presented the item and answered informational questions from the Board.

Board members raised the following points during discussion:

- Residents would likely want to keep parking out of the neighborhoods. If that means a small portion of the park would need to be ceded to parking, that should be considered.
- Deciding on the parking before the project architect designs the building might excessively limit the architect's options given the site's other constraints. It might be most appropriate to allow a traffic engineer and the City determine parking during the Community Impact Study.
- The building's size will likely exceed the red rectangle shown in the aerial view in the agenda packet.
- A loading area could be appropriate, and requiring that the front entrance be located along the street frontage may be excessively restrictive. A majority of feedback has been that it would be inappropriate to locate a door along Lincoln.
- Saying that these standards are 'suggested' for this project may be more appropriate than 'required'.
- Alternatively, the City should hold itself to the same standards it would a private developer, in the spirit of fairness.
- The parking could be postponed for determination at site plan review.
- The explanation of these guidelines should clarify that these are criteria to begin a review and discussion of this project.
- It would be ideal if the project could align as closely as possible with these guidelines. If the project's site plan diverges from aspects of these guidelines, it would merit further discussion.

- In making this a process-type document, the Board should endeavor to select development guidelines and should avoid designing and planning the site.

**12-48-24**

**Motion by Share**

**Seconded by Whipple-Boyce to recommend to the City Commission that the public property development guidelines for 400 E. Lincoln – Senior/Recreation/Community Center, consisting of five pages including the narrative, with revisions to the narrative as discussed today, with the parking modified to say to be determined, the front entryway to be modified to say to be determined, and the loading area to be modified to say to be determined, that those guidelines be generally applied to the proposed development.**

**Motion carried, 7-0.**

**VOICE VOTE**

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

Nays: None

**4. Proposed Childcare Ordinance Amendments**

PDI Aldred-Arens presented the item and answered informational questions from the Board.

Board members raised the following points during discussion:

- The next Board study of this item should include a formal opinion from the City Attorney regarding Birmingham's specific legal requirements vis-a-vis the proposed changes.
- There would be some concern about permitting child care homes in every residential area in Birmingham.
- The definitions of "family day care home" and "group child care home" should include requiring state licensure.
- Questions regarding signage, traffic, applicable state statutes and regulations, space for children to play, how SLUPs may be applied in these cases, appropriate locations, and other issues remain.
- Extending the use of a residence to accommodate up to 14 children should be considered very carefully.
- The City should endeavor to make childcare more accessible in a considered way.
- Some residents might feel passionately about this issue.

**K. Miscellaneous Business and Communications (Part II)**

**2. Communications**

**3. Administrative Approval Correspondence**

**4. Draft Agenda**

**5. Action List**

**6. Other Business**

**M. Planning Division Action Items**

**a. Staff Report on Previous Requests**

**b. Additional Items from tonight's meeting**

**N. Adjournment**

No further business being evident, the meeting was adjourned at 9:51 p.m.

A blue ink signature of Nick Dupuis, consisting of a stylized 'N' and 'D'.

Nick Dupuis, Planning Director

A black ink signature of Laura Eichenhorn, consisting of a stylized 'L' and 'E'.

Laura Eichenhorn, City Transcriptionist