

City Of Birmingham
Regular Meeting Of The Planning Board
January 22, 2025
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on January 22, 2025. 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, Daniel Share; Alternate Board Member Nasseem Ramin

Absent: Board Members Bert Koseck, Janelle Whipple-Boyce

Staff: Planning Director Dupuis; Planning Intern Aldred-Arens, City Transcriptionist Eichenhorn

B. Approval Of The Minutes Of The Regular Planning Board Meeting of December 11, 2024

01-01-25

Motion by Boyle

Seconded by Williams to move the minutes of December 11, 2024.

Motion carried, 6-0.

VOICE VOTE

Yeas: Ramin, Clein, Williams, Share, Jeffares, Boyle

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. Rezoning Applications

H. Community Impact Study and Site Plan Review

I. Special Land Use Permits

**1. 225 E. Maple – Social Kitchen & Bar – Request for Special Land Use Permit
Amendment for the Renovation of an Existing Outdoor Dining Facility**

PD Dupuis presented the item. Jacob Newman, representative for the applicant, spoke on behalf of the project. Both answered informational questions from the Board.

Board members raised the following points during discussion:

- While there was some hesitance around the number of seats, this was a pre-existing non-conforming condition.
- This would represent a major aesthetic improvement. The current condition is not satisfactory. The existing materials also do not comply with the zoning ordinance. This proposal would represent an upgrade and would not expand the non-conformity. This proposal should be supported for these reasons.
- Alternatively, without a roof or sides that lowered, support for the proposal would be a given. Despite the significant aesthetic improvement, it does not meet the ordinance. That said, this would not meaningfully change planning-related aspects for this area. It is largely an existing condition.

01-02-25

Motion by Williams

Seconded by Share to adopt the findings of the Planning Department in the report dated January 22, 2025 related to the approval criteria outlined in Article 7, Section 7.36 of the Zoning Ordinance and recommend approval to the City Commission the Special Land Use Permit application for 225 E. Maple – Social Kitchen & Bar – subject to the following conditions:

- 1. The applicant must resubmit plans that do not contain enclosures as defined in Article 9, Section 9.02 of the Zoning Ordinance, or obtain a variance from the Board of Zoning Appeals; and,**
- 2. The applicant must comply with the requests of all City Departments.**

Motion carried, 6-0.

VOICE VOTE

Yeas: Ramin, Clein, Williams, Share, Jeffares, Boyle

Nays: None

J. Site Plan & Design Reviews

- 1. 225 E. Maple – Social Kitchen & Bar – Request for Final Site Plan & Design Review for the Renovation of an Existing Outdoor Dining Facility**

For discussion, see Item I1.

01-03-25

Motion by Williams

Seconded by Share to adopt the findings of the Planning Department in the report dated January 22, 2025 related to the approval criteria outlined in Article 7, Section 7.36 of the Zoning Ordinance and recommend approval to the City Commission the Final Site Plan and Design Review application for 225 E. Maple – Social Kitchen & Bar – subject to the following conditions:

- 1. The applicant must resubmit plans that do not contain enclosures as defined in Article 9, Section 9.02 of the Zoning Ordinance, or obtain a variance from the Board of Zoning Appeals;**

2. **The applicant must comply with the requests of all City Departments; and,**
3. **The applicant understands that site plan approval shall be valid for a period of one year from the date it is granted. Upon request, the appropriate reviewing body may grant an extension of not in excess of one year to the applicant prior to the expiration date in accordance with Article 7, Section 7.28 of the Zoning Ordinance.**

Motion carried, 6-0.

VOICE VOTE

Yeas: Ramin, Clein, Williams, Share, Jeffares, Boyle

Nays: None

2. 34350 Woodward – Lavery Porsche – Request for 1-Year Extension of Approved Final Site Plans for New 3-Story Auto Sales Agency

PD Dupuis summarized the request. Tim McCaffery, representative for the applicant, spoke on behalf of the project. Both answered informational questions from the Board.

Board members raised the following points during discussion:

- An extension would be acceptable. The Board could consider a shorter extension, with the option to request a further extension if necessary.
- Building permits in the City can take three to four months for approval presently. That amount of time should be factored into an extension.
- A year extension could be fine in this case, since it is a case of a business being replaced with another business. A blighted site would be a different consideration.

01-04-25

Motion by Share

Seconded by Williams to move that the Planning Board grant an extension of nine months for the approved site plans for 34350 Woodward – Lavery Porsche.

Motion carried, 6-0.

VOICE VOTE

Yeas: Ramin, Clein, Williams, Share, Jeffares, Boyle

Nays: None

3. 320 Martin St. – Request for Re-Approval of Expired Final Site Plans for new 5-Story Addition to Existing Commercial Building

PD Dupuis provided an overview of the request and the project. Kevin Biddison, architect, spoke on behalf of the project. Both answered informational questions from the Board.

Board members raised the following points during discussion:

- Detailed information on the layout of residences in mixed-use projects should be provided. That detail should be re-added to these site plans prior to the plans being signed.

- This will be a beneficial development. It has been reviewed before.
- While there are aspects of the development that may not align with some of the Board's preferences, it does align with the ordinance.
- This size of retail may not be appropriate for some other areas of the City. It is appropriate here.
- The last review of this project by the Board in 2022 was unanimously approved.

01-05-25

Motion by Share

Seconded by Williams to adopt the findings of the Planning Department in the report dated January 22, 2025 related to the approval criteria outlined in Article 7, Section 7.27 of the Zoning Ordinance and approve the Final Site Plan & Design Review application for 320 Martin St. subject to the following conditions:

- 1. The applicant must comply with the requests of all City Departments; and**
- 2. The applicant understands that site plan approval shall be valid for a period of one year from the date it is granted. Upon request, the appropriate reviewing body may grant an extension of not in excess of one year to the applicant prior to the expiration date in accordance with Article 7, Section 7.28 of the Zoning Ordinance.**

Motion carried, 6-0.

VOICE VOTE

Yeas: Ramin, Clein, Williams, Share, Jeffares, Boyle

Nays: None

4. 185 Oakland – Request for Final Site Plan & Design Review for New Whole-Building Generator at Rear of Property

PI Aldred-Arens and PD Dupuis presented the request. Dan Bertolini and Doug Frazier, representatives for the applicant, spoke on behalf of the project. All answered informational questions from the Board.

Board members raised the following points during discussion:

- State permitting may be required for the storage tanks.
- The applicant was helpful in explaining the functioning and proposed location of the generator.
- A completed site plan and landscape plan was still required. The site plan should show the adjacent land uses and locations of neighboring buildings.
- Options for locating the generator further onto the site should be explored. The applicant needs to show that they are doing the best they can for the residential neighbors.
- Relocating the generator would likely result in more support from the neighbors.
- It is unlikely that using more vegetation for screening would mitigate the concern about the presently proposed location.
- The site plan should be more in-line with what the Board is used to seeing.

Public Comment

Matt Brown commented regarding the proposed location of the generator.

01-06-25

Motion by Williams

Seconded by Boyle to postpone the Final Site Plan and Design Review for 185 Oakland Ave – BELFOR Property Restoration to February 26, 2025.

Motion carried, 6-0.

VOICE VOTE

Yeas: Ramin, Clein, Williams, Share, Jeffares, Boyle

Nays: None

K. Study Session

1. Generator Ordinance – Study Session

PD Dupuis summarized the request to set the public hearing date and answered brief informational questions from the Board.

Board members raised the following points during discussion:

- The language should clarify whether 'five feet from the structure' is measured from the dripline or the wall of the house.

01-07-25

Motion by Williams

Seconded by Share to set a public hearing date of February 12, 2025 to review amendments to Article 4, Accessory Structure Standards, Section 4.03, to add provisions for standby generators.

Motion carried, 6-0.

VOICE VOTE

Yeas: Ramin, Clein, Williams, Share, Jeffares, Boyle

Nays: None

L. Miscellaneous Business and Communications

1. Pre-Application Discussions

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

It was noted that this proposal would not be returning to the Planning Board due to a lack of interest from the Commission.

2. Communications

3. Administrative Approval Correspondence

4. Draft Agenda

5. Action List

6. Other Business

It was noted that the City would be looking to fill a vacancy in an alternate Board member position.

It was also noted that the Board should begin considering items for its 2025 action list.

M. Planning Division Action Items

- 1. Staff Report on Previous Requests**
- 2. Additional Items from tonight's meeting**

N. Adjournment

No further business being evident, the meeting was adjourned at 8:51 p.m.



Nick Dupuis, Planning Director



Laura Eichenhorn, City Transcriptionist