



AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY APRIL 23, 2025 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

- A.** Roll Call
- B.** Review and Approval of the Minutes of the Regular Meeting of **April 9, 2025**
- C.** Chairpersons' Comments
- 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 Studies
- I.** Special Land Use Permits
 - 1. **185 N. Old Woodward – Bell Bistro – Special Land Use Permit Request for New Outdoor Dining Facility in N. Old Woodward Right-of-Way.**
- J.** Site Plan & Design Reviews
 - 1. **185 N. Old Woodward – Bell Bistro – Final Site Plan & Design Review Request for New Outdoor Dining Facility in N. Old Woodward Right-of-Way.**
 - 2. **35001 Woodward – Request for site plan approval extension of one year.**
 - 3. **163 W. Maple – Origins Café – Final Site Plan & Design Review Request for New Outdoor Dining Platform in W. Maple Right-of-Way.**
 - 4. **185 Oakland – Request for Final Site Plan & Design Review for New Whole-Building Generator at Rear of Property (Postponed from February 26, 2025)**
 - 5. **2425 E. 14 Mile – Clover Hill Park Cemetery – Request for Final Site Plan & Design Review for renovation to north side of property for a nonconforming use.**
- K.** Study Session
- L.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - i. **525 N. Old Woodward – Luxe – Outdoor Dining**
 - 2. Communications
 - i. **Project Updates**
 - ii. **Joint Meeting – June 16, 2025**
 - iii. **Special Meeting Request – April 30, 2025**
 - 3. Administrative Approval Correspondence
 - i. **April 4, 2025 – April 18, 2025**
 - 4. Draft Agenda – **May 14, 2025**
 - 5. Action List – **2025**
 - 6. Other Business
- M.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
- N.** Adjournment

*Please note that board meetings will be conducted in person once again. Members of the public can attend in person at Birmingham City Hall OR may attend virtually at:

Link to Access Virtual Meeting: <https://zoom.us/j/111656967>

Telephone Meeting Access: 877-853-5247 US Toll-Free

Meeting ID Code: 111656967

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 248-644-3405 (TDD) at least one day before the meeting to request help in mobility, visual, hearing, or other assistance.

Las personas con incapacidad que requieren algún tipo de ayuda para la participación en esta sesión pública deben ponerse en contacto con la oficina del escribano de la ciudad en el número (248) 530-1800 o al (248) 644-3405 (para las personas con incapacidad auditiva) por lo menos un día antes de la reunión para solicitar ayuda a la movilidad, visual, auditiva, o de otras asistencias. (Title VI of the Civil Rights Act of 1964).

City Of Birmingham
Regular Meeting Of The Planning Board
April 9, 2025
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on April 9, 2025.
The meeting was convened at 7:30 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 Duncan Currie; Student Representatives Carter Anderson, Olivia Betanzos

Absent: Chair Scott Clein; Alternate Board Member Nasseem Ramin

Staff: Planning Director Dupuis; City Planner Blizinski, City Transcriptionist Eichenhorn

B. Approval Of The Minutes Of The Regular Planning Board Meeting of March 26, 2025

04-15-25

Motion by Share

Seconded by Koseck to move the approval of the minutes of March 26, 2025 as presented.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

C. Chair's Comments

The Vice 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. 280 E. Lincoln – Grace Baptist Church – Request for Special Land Use Permit Review for Renovation & Addition to Existing Religious Institution**

CP Blizinski presented the item and staff answered informational questions from the Board.

Andrew Walters of Metro Consulting Associates spoke on behalf of the project.

Board members raised the following points during discussion:

- Changes were made to the parking lot since the last meeting in response to Board comments about safety. The project still meets the parking requirements.
- The open space variance did not pose a challenge from a planning perspective. It integrates with the potential project at 400 E. Lincoln and the nearby credit union.
- While the applicant should enter into negotiations for a possible shared parking agreement with the City, committal to a shared parking agreement with the City should not be mandated by the Board.

04-16-25

Motion by Share

Seconded by Boyle to adopt the findings of the Planning Department in the report dated April 9, 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 280 E. Lincoln – Grace Baptist Church – based on the site plan drawings submitted to the Planning Board on April 9, 2025 and subject to the following conditions:

- 1. The applicant submits plans that meet the 10 ft. side yard setback or obtain a variance from the Board of Zoning Appeals;**
- 2. The applicant submits plans that meet the minimum open space requirement or obtain a variance from the Board of Zoning Appeals;**
- 3. The applicant must enter into negotiations for a shared parking agreement with the City of Birmingham to reduce the impact of parking on the neighborhoods; and,**
- 4. The applicant must comply with the requests of all City Departments.**

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

J. Site Plan & Design Reviews

- 1. 280 E. Lincoln – Grace Baptist Church – Request for Final Site Plan & Design Review for Renovation & Addition to Existing Religious Institution**

04-17-25

Motion by Share

Seconded by Boyle to adopt the findings of the Planning Department in the report dated April 9, 2025 related to the approval criteria outlined in Article 7, Section 7.27 of the Zoning Ordinance and recommend approval to the City Commission the Final Site Plan and Design Review application for 280 E. Lincoln – Grace Baptist Church – based on the site plan drawings submitted to the Planning Board on April 9, 2025 and subject to the following conditions:

- 1. The applicant submits plans that meet the 10 ft. side yard setback or obtain a variance from the Board of Zoning Appeals;**
- 2. The applicant submits plans that meet the minimum open space requirement or obtain a variance from the Board of Zoning Appeals;**
- 3. The applicant must enter into negotiations for a shared parking agreement with the City of Birmingham to reduce the impact of parking on the neighborhoods;**
- 4. The applicant must comply with the requests of all City Departments;**
- 5. 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 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.**

Board member comments were as follows:

- The ordinance does not distinguish between a significant and a minor encroachment into the side yard. This would be a relatively small encroachment of an exit stair and a railing, which may help with the variance request.**
- If this were a new site plan, three curb cuts would likely not be recommended. Since this is an existing site, the Board emphasized creating the safest conditions possible within the circumstances.**
- A shared parking agreement between the applicant and the City would be good urban planning.**
- The project was welcome, and represents an improvement to the site.**
- The applicant accommodated the Board's requests regarding parking, which made the project safer. The applicant's efforts in that regard were appreciated.**

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

K. Study Session

1. Impervious Surface, Open Space & Lot Coverage – Study Session

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

Board members raised the following points during discussion:

- This proposal would limit the practice of xeriscaping.**
- The proposed language should be clarified to more clearly communicate the intent.**
- Planning staff should consult with the Building Department about how the proposed changes might affect open space calculations.**
- There was some concern that a 65% vegetation requirement may excessively limit the sizes of porches, driveways, or walkways.**
- Limiting residents' ability to xeriscape may not be appropriate.**

- Xeriscaping promotes water conservation. While some residents may not find it aesthetically pleasing, the question of individual property rights arises.
- It may not be appropriate to define artificial turf as impervious, since it is what is below turf that more actively affects perviousness.
- If a stair is built inside a garage, a garage is permitted to be 75 square feet larger than it otherwise would be. The ordinance does not permit that clearly. This discrepancy should be corrected.
- If a home forms a U-shape, and a deck were located within the U, the calculation of the open space is different than if the deck were in front of a more traditional linear facade. This aspect of the ordinance should be reviewed as well.
- The diagram was helpful.
- Birmingham ordinances are very complex, especially for people unfamiliar with navigating them. Simplifying them where possible is worthwhile.
- It would make sense to postpone consideration of this item until the May 16, 2025 meeting, in part so the Chair would have the opportunity to opine.

2. Childcare Ordinance – Study Session

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

Board members raised the following points during discussion:

- It is important for the City to have the capacity to have home child care businesses.
- These changes would not allow home child care businesses anywhere they are not already permitted. The changes would remove the SLUP requirement.
- It could be beneficial to remove the SLUP requirement in the interest of efficiency.
- Alternatively, the SLUP process allows residents more opportunity to offer input. Consequently, retaining the SLUP requirement may be appropriate.
- On page 50, 'group day care' should be replaced with 'group child care'.
- The City should consider allowing 'group child care homes', a less intensive use, in any zone where the more intensive 'child care centers' are allowed.
- The zones in which child care centers are permitted could also be reevaluated.
- The ordinance could require that each child care related business must be licensed by the State or meet the State requirements. This might sufficiently address the concerns that would otherwise arise during a SLUP process, and might alleviate the need for SLUPs for these businesses.
- If the ordinance does not require meeting the State minimum requirements or State licensing, then a SLUP process should be required.
- The Board should review the State requirements to ensure that they adequately address possible City concerns.
- This topic touches on a broader planning question around defining a 'private' home, as the number of 'private' homes housing additional commercial uses has increased.

L. Miscellaneous Business and Communications

1. Pre-Application Discussions

i. 525 N. Old Woodward – Luxe – Outdoor Dining

The applicant was not in attendance.

It was Board consensus to postpone the preapplication review until the applicant was in attendance.

- 2. Communications**
- 3. Administrative Approval Correspondence**
- 4. Draft Agenda**
- 5. Action List**
- 6. Other Business**

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 adjourned at 8:58 p.m.



Nick Dupuis, Planning Director



Laura Eichenhorn, City Transcriptionist



MEMORANDUM

Planning Department

DATE: April 23, 2025

TO: Planning Board Members

FROM: Nick Dupuis, Planning Director

SUBJECT: 185 N. Old Woodward – Bell Bistro – Special Land Use Permit Amendment, Final Site Plan & Design Review

The subject site is located on the west side of N. Old Woodward at the intersection of N. Old Woodward and Hamilton Row. The applicant is applying for a new outdoor dining facility in the N. Old Woodward right-of-way. The uniqueness of the streetscape in this area at a “T” intersection created a large open space where there currently exist two large granite benches. The area is currently inhabited seasonally by the outdoor dining facility for the neighboring business, Paris Baguette. The proposal would condense the existing seating for Paris Baguette to provide for a larger outdoor dining facility for Bell Bistro, which currently has approval to provide one single table (4 chairs) in front of their storefront. The new outdoor dining facility for Bell Bistro would consist of 22 seats, while the outdoor dining patio for Paris Baguette would increase from 16 seats to 20 seats. **Although closely related, the application submitted is for Bell Bistro only. Paris Baguette will be expected to apply for an Administrative Approval application to update their outdoor dining facility plans should the application for Bell Bistro be approved by the City Commission.**

There are several other outdoor dining facilities on the same block north of Maple including Starbucks and Sweet Green. There are no other changes proposed to the subject building or site.

Article 7, Section 7.43 states that Site Plan and Design Review for special land uses shall be considered and acted upon by the City Commission. Prior to its consideration of a special land use application 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.

In addition, as required by Article 7, Section 7.37 of the Zoning Ordinance, once a permit for a special land use has been granted as to any parcel of land, no change in that use may be made nor may any addition to or change in the building or improvements on the parcel of land take place until a new request for approval has been filed with the City Commission and the City Commission has approved the request for change.

As noted above, Bell Bistro received Special Land Use Permit, Final Site Plan and Design Review approval from the City Commission on July 11, 2022 ([Agenda](#) – [Minutes](#)). The approval was granted for major renovations to the bistro space and a concept shift from the Mad Hatter to Bell Bistro. The original approval included the outdoor dining required for bistros, but was limited to a single 4-top table in front of the windows.

1.0 Land Use and Zoning

1.1 Existing Land Use – Two-story commercial building.

1.2 Zoning – B4 (Business-Residential) & 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 Setback and Height Requirements

No changes are proposed to the footprint of the building.

3.0 Screening and Landscaping

3.1 Dumpster Screening – There are no changes proposed to the dumpster or screening on site.

3.2 Parking Lot Screening – There are no off-street parking facilities on site.

- 3.3 Mechanical Equipment Screening – There are no changes proposed to the mechanical equipment or screening on site.
- 3.4 Landscaping – There are no changes proposed to the landscaping on site.
- 3.5 Streetscape – There are no changes proposed to the existing streetscape on site.

4.0 Parking, Loading and Circulation

- 4.1 Parking – There are no changes to the parking requirements on site.
- 4.2 Loading – There are no changes proposed to the loading requirements.
- 4.3 Vehicular Circulation and Access – There are no changes proposed to vehicular circulation and access to the site.
- 4.4 Pedestrian Circulation and Access – There are no changes proposed to pedestrian circulation and access to the site.

5.0 Lighting

There are no new light fixtures or changes in lighting proposed that will significantly alter the light intensity on the site at this time.

6.0 Design Review

The proposed outdoor dining platform is subject to several design requirements found in [Article 4, Section 4.44](#) of the Zoning Ordinance. In addition, the platform will be subject to the requirements of [Chapter 98, Article III, Sec. 98-71](#) of the City Code.

Bell Bistro is proposing to have 22 seats predominantly in an area located within the amenity zone of the N. Old Woodward right-of-way. The outdoor dining facility will consist of tables, chairs and umbrellas, and will be enclosed with a 42 in. high partition. All outdoor dining elements will be in shades of black to match the color scheme of the bistro establishment. The site plan indicates 6 ft. of continuous sidewalk space for pedestrian passage between the building frontage and the outdoor dining facility. The applicant does not show a trash receptacle within the outdoor dining facility, which is required. Thus, **the applicant must submit revised site plans demonstrating the quantity and placement of all outdoor dining elements including, but not limited to, overhead weather protection, heating elements, and trash receptacles.**

As is required for all outdoor dining facilities, the applicant will be required to obtain an Outdoor Dining Permit annually. As the proposed platform is located in the public right-

of-way, the applicant will be required to enter into a license agreement with the City as well. As a part of the annual outdoor dining permit process, the applicant is expected to pay fees to lease the total square footage of public property that is being utilized.

Finally, the proposed outdoor dining facility extends beyond the storefront of Bell Bistro to the south in front of the adjacent business, Paris Baguette. Although the two adjacent tenant spaces are within the limits of the same property, **the applicant will be required to confirm the approval from the property owner pursuant to [Article 4, Section 4.44 \(B\)\(4\)](#) of the Zoning Ordinance.**

7.0 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	☒	☐	☐

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.*
 - The proposed outdoor dining facility will not affect the open space requirements of the site, as it is located within the public right-of-way.
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.*

- There are no buildings proposed as a part of the Special Land Use Permit Amendment, Final Site Plan & Design Review application submitted.
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.*
- There are no buildings proposed as a part of the Special Land Use Permit Amendment, Final Site Plan & Design Review application submitted.
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.*
- The proposed outdoor dining facility provides for a bit more than the minimum required clear path at 6 ft. The facility is proposed to be wholly enclosed by a barrier, which will reduce conflicts between pedestrian and patrons of the outdoor dining facility.
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.*
- There are no buildings proposed as a part of the Special Land Use Permit Amendment, Final Site Plan & Design Review application submitted. Generally speaking, though, outdoor dining facilities are compatible with Downtown Birmingham and promote the spirit and purpose of the Zoning Ordinance.
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.*
- There is no required landscaped open space as a part of this project.

In addition, Article 7, Section 7.36 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.*
- Outdoor dining facilities are 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.*
 - Generally, this use will remain 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.*
 - This 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.*
 - The use as an outdoor dining facility appears to be in compliance with the requirements of the Zoning Ordinance.
5. *The use will not be injurious to the surrounding neighborhood.*
 - The existing use is not expected to be injurious to the surrounding neighborhood.
6. *The use is in compliance with state and federal statutes.*
 - Top the best of our knowledge, the use is in compliance with state and federal statutes.

9.0 Recommendation

Based on a review of the site plan submitted and the approval criteria of Article 7, Sections 7.27 and 7.36 of the Zoning Ordinance, the Planning Department recommends that the Planning Board recommend **APPROVAL** to the City Commission the Special Land Use Permit, Final Site Plan & Design Review application for 185 N. Old Woodward – Bell Bistro – subject to the following conditions:

1. The applicant must submit revised site plans demonstrating the quantity and placement of all outdoor dining elements including, but not limited to, overhead weather protection, heating elements, and trash receptacles;
2. The applicant will be required to confirm the approval from the property owner pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance;
3. The applicant must maintain a valid outdoor dining permit; and
4. The applicant must comply with all requests of City Departments.

10.0 Sample Motion Language (Special Land Use Permit Amendment)

Motion to adopt the findings of the Planning Department in the report dated April 23, 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 Amendment application for 185 N. Old Woodward – Bell Bistro – subject to the following conditions:

1. The applicant must submit revised site plans demonstrating the quantity and placement of all outdoor dining elements including, but not limited to, overhead weather protection, heating elements, and trash receptacles;
2. The applicant will be required to confirm the approval from the property owner pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance;
3. The applicant must maintain a valid outdoor dining permit; and
4. The applicant must comply with all requests of City Departments.

OR

Motion to **POSTPONE** the Special Land Use Permit Amendment application for 185 N. Old Woodward – Bell Bistro – pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to recommend **DENIAL** of the Special Land Use Permit Amendment application for 185 N. Old Woodward – Bell Bistro – for the following reasons:

1. _____
2. _____
3. _____

11.0 Sample Motion Language (Final Site Plan & Design Review)

Motion to adopt the findings of the Planning Department in the report dated April 23, 2025 related to the approval criteria outlined in Article 7, Section 7.27 of the Zoning Ordinance and recommend **APPROVAL** to the City Commission the Final Site Plan & Design Review application for 185 N. Old Woodward – Bell Bistro – subject to the following conditions:

1. The applicant must submit revised site plans demonstrating the quantity and placement of all outdoor dining elements including, but not limited to, overhead weather protection, heating elements, and trash receptacles;
2. The applicant will be required to confirm the approval from the property owner pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance;

3. The applicant must maintain a valid outdoor dining permit; and
4. The applicant must comply with all requests of City Departments.

OR

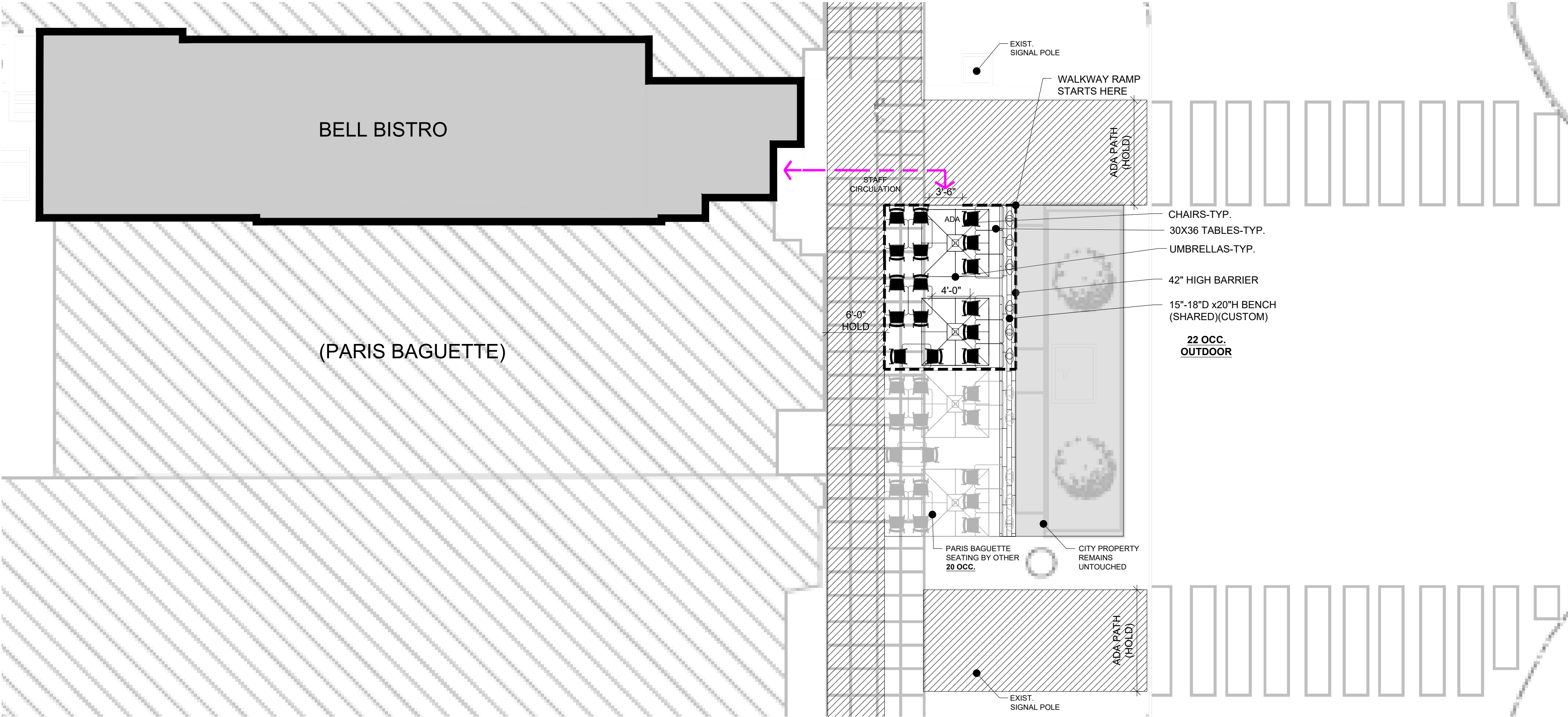
Motion to **POSTPONE** the Final Site Plan & Design Review application for 185 N. Old Woodward – Bell Bistro – pending receipt of the following:

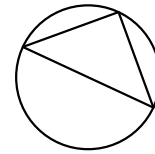
1. _____
2. _____
3. _____

OR

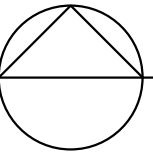
Motion to recommend **DENIAL** of the Final Site Plan & Design Review application for 185 N. Old Woodward – Bell Bistro – for the following reasons:

1. _____
2. _____
3. _____



 **OUTDOOR FURNITURE CONCEPT**
SCALE: 1/8" = 1'-0"



 **LOCATION MAP**
NO SCALE



BOWERS+ASSOCIATES, INC.
2400 SOUTH HURON PARKWAY
ANN ARBOR, MI 48104
P: 734-979-2400
WWW.BOWERSARCH.COM

CONSULTANT + NAME

PROJECT + INFORMATION

**BELL BISTRO
(OUTDOOR SEATING)**
185 OLD NORTH WOODWARD AVE
BIRMINGHAM, MICHIGAN

PROJECT + NUMBER

23-312

ISSUE + DATE

07 MAR 2025	PERMIT
25 MAR 2025	OWN REV
28 MAR 2025	PERMIT
16 APR 2025	PERMIT

SHEET + TITLE

**OUTDOOR
SEATING PLAN**

SHEET + NUMBER

SP-200

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LAW OFFICES

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KATHERINE A. TOMASIK

March 7, 2025

Via Electronic Mail

Nicholas Dupuis, Planning Director
City of Birmingham
151 Martin Street
Birmingham, MI 48009
ndupuis@bhamgov.org

**Re: Bell Bistro
185 N Old Woodward Avenue
Request to Amend Special Land Use Permit to Add Platform for Outdoor Dining**

Dear Mr. Dupuis:

Our firm represents RAM Restaurant Group, Inc., which does business as Bell Bistro at 185 N. Old Woodward.

Bell Bistro operates with a Bistro license under the City's Ordinances. As such, it is required to have outdoor dining.

Bell Bistro previously operated as Mad Hatter, under the same ownership. Mad Hatter had a platform directly in front of its business for years. Once North Old Woodward's streetscape was beautified, the parking space upon which the platform was placed was eliminated.

Enclosed for this request is the Special Land Use Application – Bistro and a diagram of the proposed platform.

The fee to the City in the amount of \$3,800 is being hand delivered to the Planning Department today.

Thank you for your consideration of this application. We, as always, look forward to working with you.

Very truly yours,

ADKISON, NEED, ALLEN, & RENTROP, PLLC


Kelly A. Allen

/kjp
Enclosures



MEMORANDUM

Planning Department

DATE: April 23, 2025

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: 35001 Woodward – Site Plan Extension Request

The development team for the new 5-story mixed use building in Downtown Birmingham has submitted a request to extend the approval of their site plan for one year. Recently, on November 13, 2024 ([Agenda](#) – [Minutes](#)), the Planning Board granted a site plan extension of 6 months. As the extension is set to expire, the applicant has returned with more clarity on the ownership of the site and plans to enter the design development stage.

Article 7, Section 7.28 of the Zoning Ordinances states that 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. Any application for extension of Site Plan approval must be filed on or before the expiration of the original Site Plan approval. An extension may be granted upon compliance with all applicable zoning requirements that are in effect at the time of filing of the application for the extension. All plans must show any revisions that are a result of Zoning Ordinance amendments at the time of filing. The Building Official shall not issue a permit for such work unless a valid final Site Plan and design plan are in effect.

The applicant is not proposing any changes to the approved plans at this time.

Sample Motion Language

I move that the Planning Board grant an extension of _____ for the approved site plans for 35001 Woodward.

April 14, 2025

Nicholas Dupuis
Planning Director
City of Birmingham, Mi

Re: 35001 - 35075 Woodward Request for an extension of the Planning Commission Approval:

Dear Mr. Dupuis,

Please treat this letter as a formal request from Hesham E. Gayar Managing Member of Select Commercial Assets Hospitality, LLC, for an extension of the Final Planning Commission approval for the property listed above. Final legal agreements have been reached and completed. I have attached a copy of the notarized document showing the release of the Hunter House property as described in that document. At this time Select Commercial Assets Hospitality, LLC has full legal right to move forward and complete this project.

We are respectfully asking for the full (1) year extension to allow my office and the rest of the Design Team to complete the Construction Documents and move forward to the next Phase of this project. We expect the final Design and Construction drawings to take at least 6 months to complete and then the City permitting and approval process after that. We appreciate the Planning Commissions patience during this long laborious process.

We ask that this matter be placed on the next Planning Commission agenda for approval of this extension. Please contact our office if you have any additional questions or need any additional information at this time. Thank you for your assistance in this matter.

Regards,



Kevin Biddison AIA
Biddison Architecture P.C.



Hesham E. Gayar, Member
Selected Commercial Assets Hospitality, LLC

RELEASE OF AFFIDAVIT AFFECTING REAL PROPERTY

Hunter House Hamburgers, Inc. hereby releases and discharges its Affidavit Affecting Real Property recorded in Liber 38708 at Pg 180, Oakland County, Michigan Records, affecting property more fully described as:

Lot 40 except the West 34 feet "Assessor's Plat No. 21" as recorded
Liber 54 of Plats, Page 19, Oakland County Records

Property Id Number: 19-25-456-014

Commonly known as: 35075 Woodward Avenue, Birmingham, Michigan

HUNTER HOUSE HAMBURGERS, INC.

By:

Kelly Cobb

Its Officer and Duly Authorized Agent

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 27 day of March, 2025, by KELLY COBB, as Officer of and on behalf of Hunter House Hamburgers, Inc., a Michigan Corporation.

Notary Public
County, Michigan
County
My commission expires: 04/16/2028

JOY MCCOLLEY
Notary Public, State of Michigan
County of Livingston
My Commission Expires 04-16-2028
Acting in the County of ~~Macquinn~~ Macquinn



MEMORANDUM

Planning Department

DATE: April 23, 2025

TO: Planning Board Members

FROM: Nick Dupuis, Planning Director

SUBJECT: 163 W. Maple – Café Origins – Final Site Plan & Design Review

The subject site is located on the south side of W. Maple between Pierce and Henrietta. The applicant is applying for the addition of an outdoor dining platform in the W. Maple right-of-way with 5 tables and 20 chars total. There are no other outdoor dining facilities on the same block on the south side of W. Maple. However, there is an existing outdoor dining platform across the street at Dick O' Dows. There are no other changes proposed to the building or site.

1.0 Land Use and Zoning

- 1.1 Existing Land Use – Single story commercial building.
- 1.2 Zoning – B4 (Business-Residential) & 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 Setback and Height Requirements

No changes are proposed to the footprint of the building.

3.0 Screening and Landscaping

- 3.1 Dumpster Screening – There are no changes proposed to the dumpster or screening on site.
- 3.2 Parking Lot Screening – There are no off-street parking facilities on site.
- 3.3 Mechanical Equipment Screening – There are no changes proposed to the mechanical equipment or screening on site.
- 3.4 Landscaping – There are no changes proposed to the landscaping on site.
- 3.5 Streetscape – There are no changes proposed to the existing streetscape on site.

4.0 Parking, Loading and Circulation

- 4.1 Parking – There are no changes to the parking requirements on site.
- 4.2 Loading – There are no changes proposed to the loading requirements.
- 4.3 Vehicular Circulation and Access – There are no changes proposed to vehicular circulation and access to the site.
- 4.4 Pedestrian Circulation and Access – There are no changes proposed to pedestrian circulation and access to the site.

5.0 Lighting

There are no new light fixtures or changes in lighting proposed that will significantly alter the light intensity on the site at this time.

6.0 Design Review

The proposed outdoor dining platform is subject to several design requirements found in [Article 4, Section 4.44](#) of the Zoning Ordinance. In addition, the platform will be subject to the requirements of [Chapter 98, Article II, Sec. 98-38](#) of the City Code.

Origins Cafe is proposing to have 20 seats at 5 tables, 3 of which are placed on an outdoor dining platform and 2 are located within the amenity zone outside of the footprint of the platform. The outdoor dining platform will occupy two on-street parking spaces. The applicant has not submitted details on the materials proposed on the deck, but it does appear as though the deck is proposed to be constructed flush with the curb as required by the ordinance. **To properly assess the design of the deck, the applicant must submit details on the proposed materials. In addition, the applicant must submit details on all proposed outdoor dining elements including, but not limited to, overhead weather protection, heating elements, and trash receptacles.**

The site plan submitted does not contain clear indication of a 5 ft. continuous clear path for pedestrian passage between the building frontage and the outdoor dining furniture,

although it does appear as though there is ample space. **To ensure a 5 ft. clear path is provided, the applicant must provide on the site plan the dimension from the building face to the nearest outdoor dining elements.**

As is required for all outdoor dining facilities, the applicant will be required to obtain an Outdoor Dining Permit annually. As the proposed platform is located in the public right-of-way, the applicant will be required to enter into a license agreement with the City as well. As a part of the annual outdoor dining permit process, the applicant is expected to pay fees to cover the loss in revenue of two on-street parking spaces as well as a general lease amount for the total square footage of public property that is being utilized.

Finally, as the proposed outdoor dining platform extends slightly beyond the storefront of Café Origins to the west to the front of an adjacent property, **the applicant will be required to obtain approval from the neighboring property owner pursuant to [Article 4, Section 4.44 \(B\)\(4\)](#) of the Zoning Ordinance.**

7.0 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	☒	☐	☐

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:

- 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.*
 - The proposed outdoor dining platform will not affect the open space requirements of the site, as it is located within the public right-of-way.
- 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.*

- There are no buildings proposed as a part of the Final Site Plan & Design Review application submitted.
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.*
- There are no buildings proposed as a part of the Final Site Plan & Design Review application submitted.
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.*
- The proposed outdoor dining platform does not extend beyond the limits of the existing limits of the parking spaces along W. Maple and thus would not create any more of a pinch point or traffic hazard in terms of the projection into the travel lanes of W. Maple. Additionally, there would no longer be vehicles coming in and out of those spaces, which could create a safer condition. However, W. Maple is well traveled by large vehicles such as semi-trucks and buses that may have issues being in such close proximity to patrons on the platform.
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.*
- There are no buildings proposed as a part of the Final Site Plan & Design Review application submitted. Generally speaking, though, outdoor dining facilities are compatible with Downtown Birmingham and promote the spirit and purpose of the Zoning Ordinance.
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.*
- There is no required landscaped open space as a part of this project.

9.0 Recommendation

Based on a review of the site plan submitted and the approval criteria of Article 7, Section 7.27 of the Zoning Ordinance, the Planning Department recommends that the Planning Board **APPROVE** the Final Site Plan/Design Review application for 163 W. Maple – Origins Cafe – subject to the following conditions:

1. The applicant must submit details on the proposed materials;
2. The applicant must submit details on all proposed outdoor dining elements including, but not limited to, overhead weather protection, heating elements, and trash receptacles;

3. The applicant must provide on the site plan the dimension from the building face to the nearest outdoor dining elements;
4. The applicant will be required to obtain approval from the neighboring property owner pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance and submit it to the City; and
5. The applicant must comply with the requests of all City Departments.

10.0 Sample Motion Language

Motion to adopt the findings of the Planning Department in the report dated April 23, 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 163 W. Maple – Origins Cafe – subject to the following conditions:

1. The applicant must submit details on the proposed materials;
2. The applicant must submit details on all proposed outdoor dining elements including, but not limited to, overhead weather protection, heating elements, and trash receptacles;
3. The applicant must provide on the site plan the dimension from the building face to the nearest outdoor dining elements;
4. The applicant will be required to obtain approval from the neighboring property owner pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance and submit it to the City; and
5. The applicant must comply with the requests of all City Departments.

OR

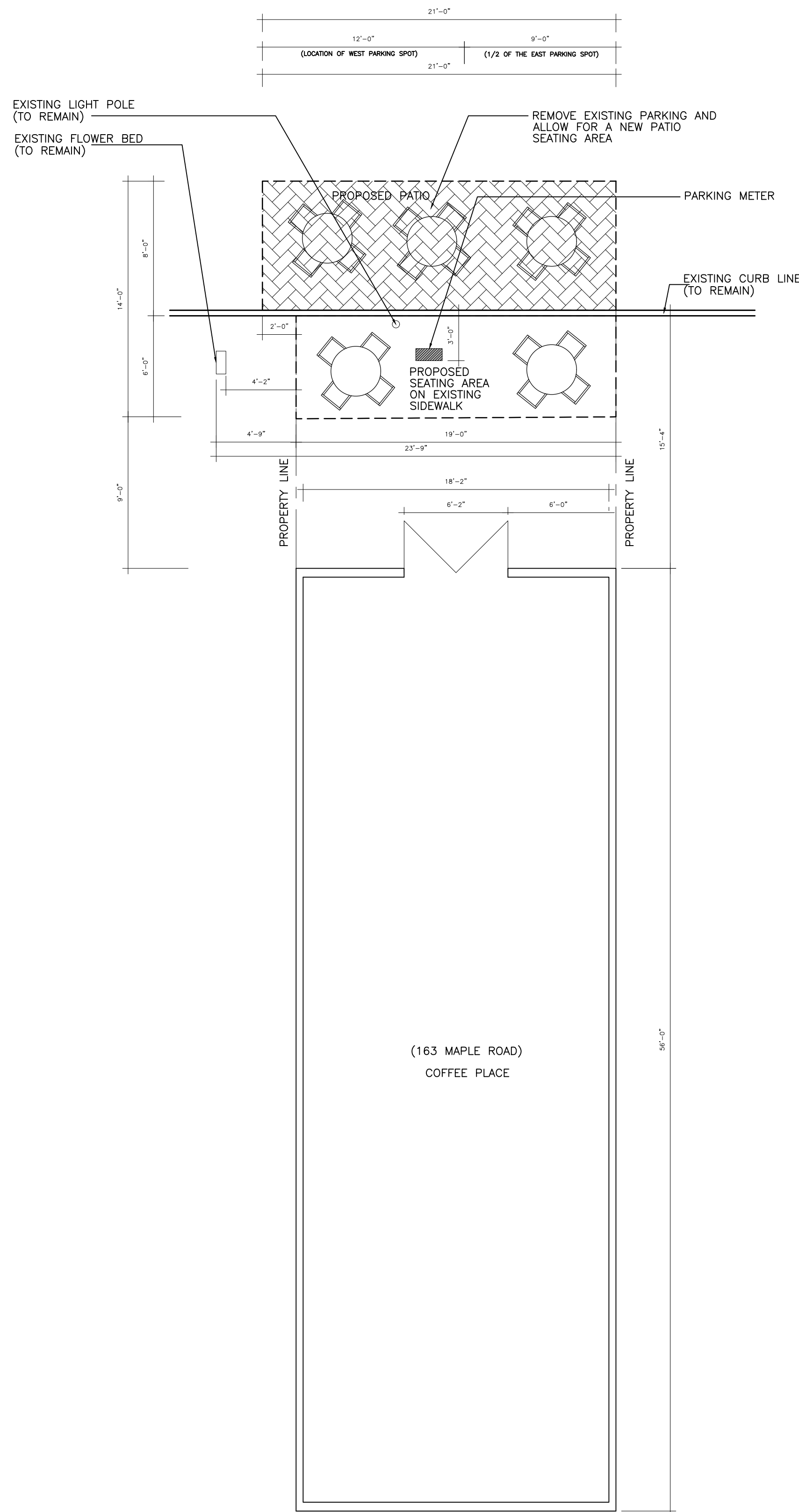
Motion to **POSTPONE** the Final Site Plan & Design Review application for 163 W. Maple – Origins Cafe – pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to **DENY** the Final Site Plan & Design Review application for 163 W. Maple – Origins Cafe – for the following reasons:

1. _____
2. _____
3. _____



PROPOSED LAYOUT

SCOPE OF WORK

ADD SEATING AREA ON EXISTING CONCRETE SIDEWALK IN FRONT OF THE CAFE AT 163 MAPLE RD.
INSTALL WOOD PATIO AT THE EXISTING PARKING SPOT IN FRONT OF THE EXISTING CAFE

OCCUPANCY USE

ASSEMBLY GROUP A-2

PROJECT:
CAFE
PROPOSED
PATIO

LOCATION:
163 MAPLE
ROAD,
BIRMINGHAM

RZ
ENGINEERING
LLC
42690 Woodward Ave.,
Suite 327,
Bloomfield Hills
MI48304.
P:(248)915-1600
zackhanna@hotmail.com

DRAWN BY:
R.P.

DESIGNED BY:
ZACK

APPROVED BY
ZACK

SUBMITTAL:

REVISIONS:

PROJECT NO.:

DATE:
04/12/2025

SCALE
3/16"=1'-0"

SHEET TITLE
PROPOSED LAYOUT

SHEET NO
A-1

SEAL





MEMORANDUM

Planning Department

DATE: April 23, 2025

TO: Planning Board Members

FROM: Summer Aldred-Arens, City Planner

SUBJECT: 185 Oakland Ave – Belfor Property Restoration – Final Site Plan and Design Review – **REQUEST TO POSTPONE INDEFINITELY**

The applicant has submitted an application for Final Site Plan and Design Review for the addition of a whole building standby generator at 185 Oakland Ave. The generator would serve as an auxiliary power source, with the intention of ensuring uninterrupted operations during power outages.

On January 22, 2025, ([Agenda](#) – [Video](#)), the Planning Board moved to postpone consideration of the Final Site Plan and Design Review for 185 Oakland Ave – Belfor Property Restoration – seeking more detailed drawings and information on the generator.

On February 26, 2025 ([Agenda](#) – [Video](#)), at the request of the applicant, the Planning Board moved to postpone the consideration of Final Site Plan and Design Review application. At this time, the applicant has not submitted new documents for consideration and the Planning Department is recommending postponement indefinitely.

Sample Motion Language

Motion to **POSTPONE INDEFINITELY** the consideration of the Final Site Plan and Design Review application for 185 Oakland Ave. – BELFOR Property Restoration.



MEMORANDUM

Planning Department

DATE: April 23, 2025

TO: Planning Board Members

FROM: Nick Dupuis, Planning Director

SUBJECT: 2425 E. 14 Mile – Clover Hill Park Cemetery – Final Site Plan & Design Review

The subject site, 2425 E. 14 Mile, is currently used as a cemetery with associated buildings, roads, landscaping and other typical features. The cemetery is located on the north side of 14 Mile between Coolidge and Melton. The applicant has submitted a Final Site Plan and Design Review application requesting a renovation of the northernmost portion of the property that currently contains maintenance and storage facilities for the cemetery. The renovation proposes to completely redesign this portion of the site to provide space for future burials. The area would be landscaped and the existing road/access drive would be reworked. The Planning Department has been advised that the existing maintenance functions will be relocated to the parcel to the east, which is in the City of Royal Oak.

The Chapel Hill Park Cemetery has existed in its current location since 1918 and is currently split between two zoning districts. The major portion of the site along 14 Mile is located in the R2 (Single-Family Residential) zoning district and the northernmost portion that is the subject of this review is located in the MX (Mixed Use) zoning district. There is a system of roadways within the cemetery that connect the two areas and permit patrons to circulate the site as well as support maintenance operations. At present, the Zoning Ordinance does not permit cemetery uses in the R2 or MX zones. Rather, cemetery uses are only permitted in the PP (Public Property) zoning district. Thus, the current use is considered pre-existing legal non-conforming.

However, in 2002, the cemetery added a building to the site and expanded a road into the northernmost portion of the site which necessitated a use variance from the Board of Zoning Appeals, which was ultimately granted. However, the variance granted was tied to the plans at the time. Thus, the proposed renovations require the applicant to obtain a new use variance.

1.0 Land Use and Zoning

- 1.1 Existing Land Use – Cemetery and associated buildings
- 1.2 Zoning – R2 (Single-Family Residential) and MX (Mixed Use)
- 1.3 Summary of Adjacent Land Use and Zoning –

	North	South	East	West
Existing Land Use	Commercial	Residential (Royal Oak)	Commercial (Royal Oak)	Residential
Existing Zoning District	B1 (Neighborhood Business), MX (Mixes-Use)	N/A	N/A	R2 (Single-Family Residential)
Overlay Zoning District	N/A	N/A	N/A	N/A

2.0 Setback and Height Requirements

There are no new buildings proposed as a part of this renovation, and the existing chapel and administrative buildings on the southern portion of the site are not proposed to be changed. Thus, there are currently no issues with bulk, height or placement with the Final Site Plan and Design Review application submitted.

3.0 Screening and Landscaping

- 3.1 Dumpster Screening – There are no changes proposed to the waste receptacle conditions on site.
- 3.2 Parking Lot Screening – There are no changes proposed to the parking lot or associated screening.
- 3.3 Mechanical Equipment Screening – There are no changes proposed to the existing mechanical equipment or screening on site.
- 3.4 Landscaping – The applicant is proposing to install a significant amount of new landscaping on the northern portion of the site, which is currently mostly hardscape and buildings. The landscaping appears to be typical of a cemetery, as the applicant is proposing new trees, turf grass and some arborvitaes along the perimeter of the northern side of the site. All of the trees appear to be

permitted and do not appear on the prohibited species list in [Article 4, Section 4.20](#) of the Zoning Ordinance.

3.5 Streetscape – There are no changes proposed to the streetscape.

4.0 Parking, Loading and Circulation

4.1 Parking –The proposed renovations do not change the parking requirements of the site.

4.2 Loading – There are no changes proposed to the loading requirements.

4.3 Vehicular Circulation and Access – There are no substantive changes proposed to the vehicular circulation and access to the site or within the site. Vehicles predominantly access the site through a single drive located on 14 Mile Rd. and follow drive aisles and roads to their destinations. However, it appears as though the proposal may now permit patrons visiting the site to access the cemetery via Forest Hills Ln. on the north side of the site. This area currently contains a gate and is only used by maintenance vehicles. The site plans submitted now suggest that this access point will be for emergencies only. The Planning Board may wish to seek clarification on the northern access point and whether or not it will now be open to cemetery patrons.

4.4 Pedestrian Circulation and Access – The site is currently accessed by a sidewalk along 14 Mile. The administration and chapel building areas also contain a sidewalk.

5.0 Lighting

There are no new light fixtures proposed as a part of the Final Site Plan and Design Review application submitted.

6.0 Design Review

As noted above, there are no new buildings or structures proposed as a part of this Final Site Plan and Design Review application submitted.

(This space intentionally left blank)

7.0 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	☒	☐	☐

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:

- 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.*
 - The Clover Hill Park Cemetery has limited buildings on the site and maintains over 56 acres of landscaped open space.
- 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.*
 - The proposed renovations to not interfere with light, air or access to adjacent land or buildings.
- 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.*
 - The proposed renovations will not hinder the reasonable development of adjoining property nor diminish the value thereof.
- 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.*

- The site plan for the property, including the proposed renovations, will not change the relationship to streets, driveways and sidewalks and thus will retain a safe vehicular and pedestrian environment.
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.*
- The renovations proposed will continue to be compatible with the neighborhoods and spirit of the Zoning Ordinance as it has for over 100 years.
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.*
- There are limited buildings on site and over 56 acres of landscape open space.

9.0 Recommendation

Based on a review of the site plan submitted and the approval criteria of Article 7, Section 7.27 of the Zoning Ordinance, the Planning Department recommends that the Planning Board **APPROVE** the Final Site Plan & Design Review application for 2425 E. 14 Mile – Clover Hill Park Cemetery – subject to the following conditions:

1. The applicant must obtain a use variance from the Board of Zoning Appeals to operate a cemetery use in the R2 and MX zoning districts;
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.

10.0 Sample Motion Language

Motion to adopt the findings of the Planning Department in the report dated April 23, 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 2425 E. 14 Mile – Clover Hill Park Cemetery – subject to the following conditions:

1. The applicant must obtain a use variance from the Board of Zoning Appeals to operate a cemetery use in the R2 and MX zoning districts;
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.

OR

Motion to **POSTPONE** the Final Site Plan & Design Review application for 2425 E. 14 Mile – Clover Hill Park Cemetery – pending receipt of the following:

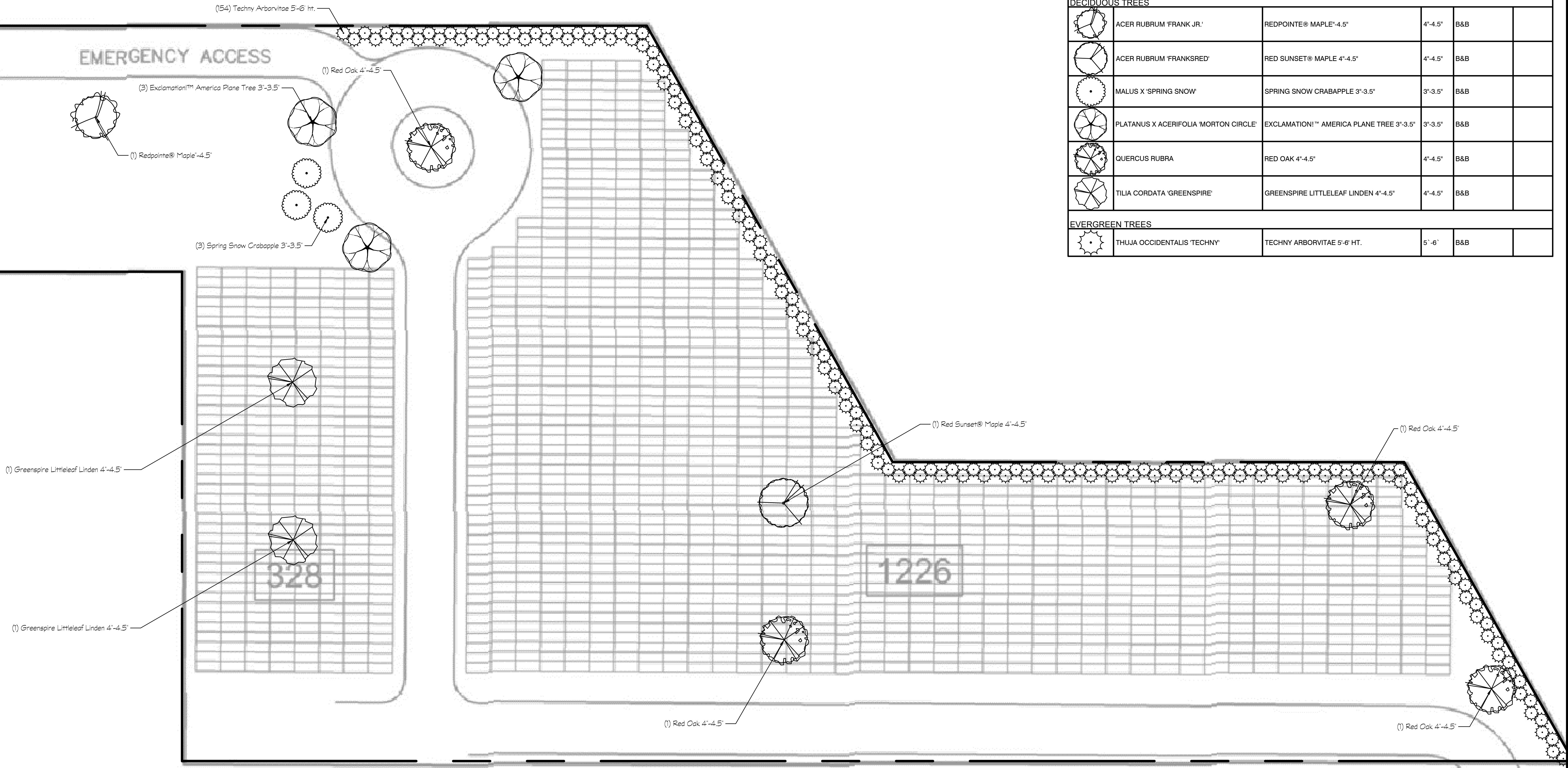
1. _____
2. _____
3. _____

OR

Motion to **DENY** the Final Site Plan & Design Review application for 2425 E. 14 Mile – Clover Hill Park Cemetery – for the following reasons:

1. _____
2. _____
3. _____

c:\users\sahej\great oaks landscape\team - landscape projects\design build\clover hill - forest hills area\2025.04.21\landscapeplan-cloverhillforesthills.sdwg



PLANT SCHEDULE					
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	DETAIL
DECIDUOUS TREES					
	ACER RUBRUM 'FRANK JR.'	REDPOINTE® MAPLE 4-5"	4"-4.5"	B&B	
	ACER RUBRUM 'FRANKSRED'	RED SUNSET® MAPLE 4"-4.5"	4"-4.5"	B&B	
	MALUS X 'SPRING SNOW'	SPRING SNOW CRABAPPLE 3'-3.5"	3'-3.5"	B&B	
	PLATANUS X ACERIFOLIA 'MORTON CIRCLE'	EXCLAMATION!™ AMERICA PLANE TREE 3'-3.5"	3'-3.5"	B&B	
	QUERCUS RUBRA	RED OAK 4'-4.5"	4'-4.5"	B&B	
	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LITTLELEAF LINDEN 4'-4.5"	4'-4.5"	B&B	
EVERGREEN TREES					
	THUJA OCCIDENTALIS 'TECHNY'	TECHNY ARBORVITAE 5'-6' HT.	5'-6'	B&B	

CLOVER HILL PARK - FOREST HILL LANE

PROJECT: 1175 FOREST HILL LANE BIRMINGHAM, MI 48009
SUBJECT: PLANTING PLAN
Client: CLOVER HILL PARK - KIM RAZNIK



GREAT OAKS
LANDSCAPE

5805 MANUELL LINDEN COURT NEW, MICHIGAN 48377
PHONE 568 349 5355 • FAX 568 349 5356
•greatoakslandscape.com

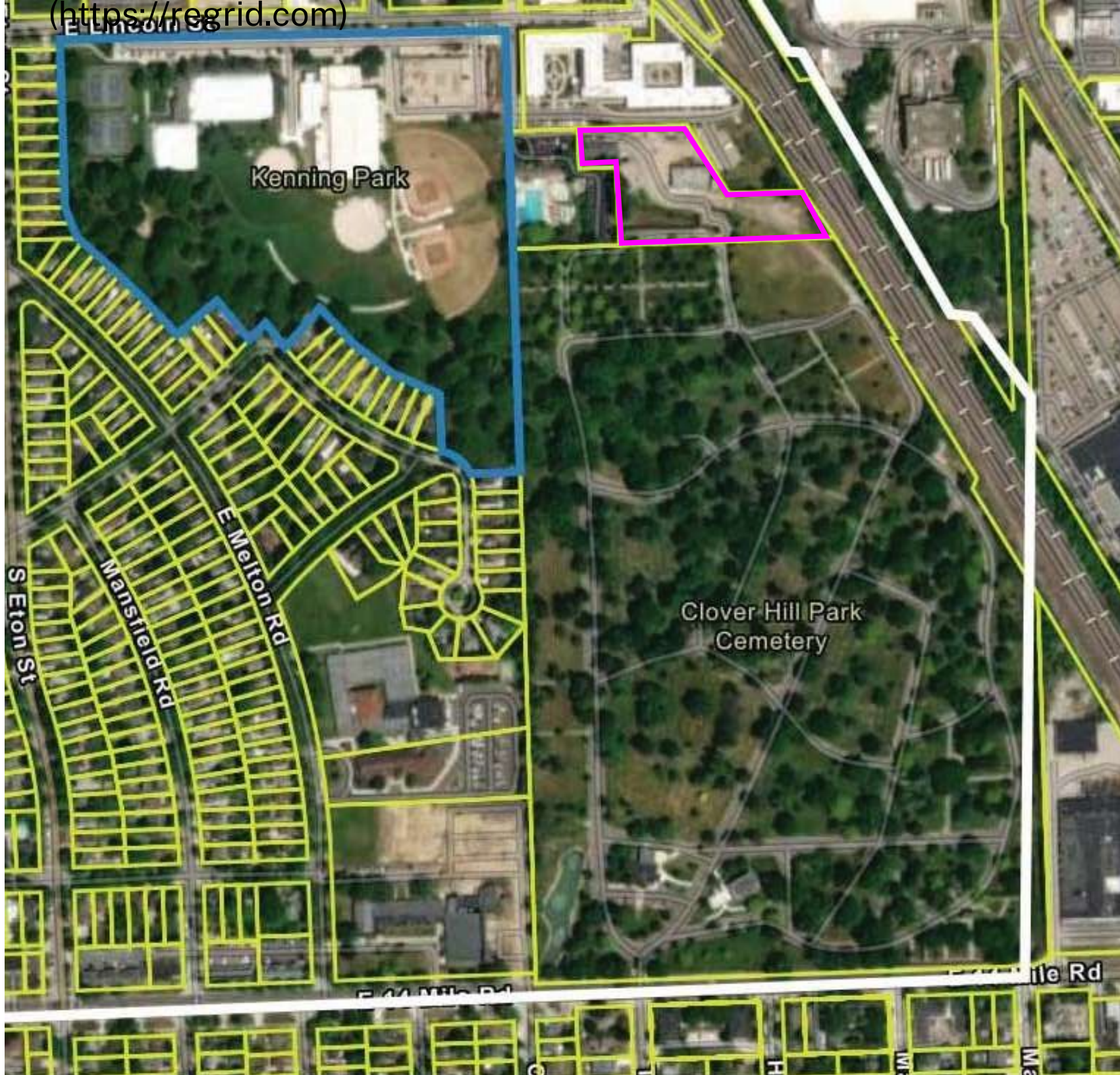
LANDSCAPE ARCHITECTURE
HORTICULTURAL SERVICES
ALL MAJOR MAINTENANCE
INTERIORS

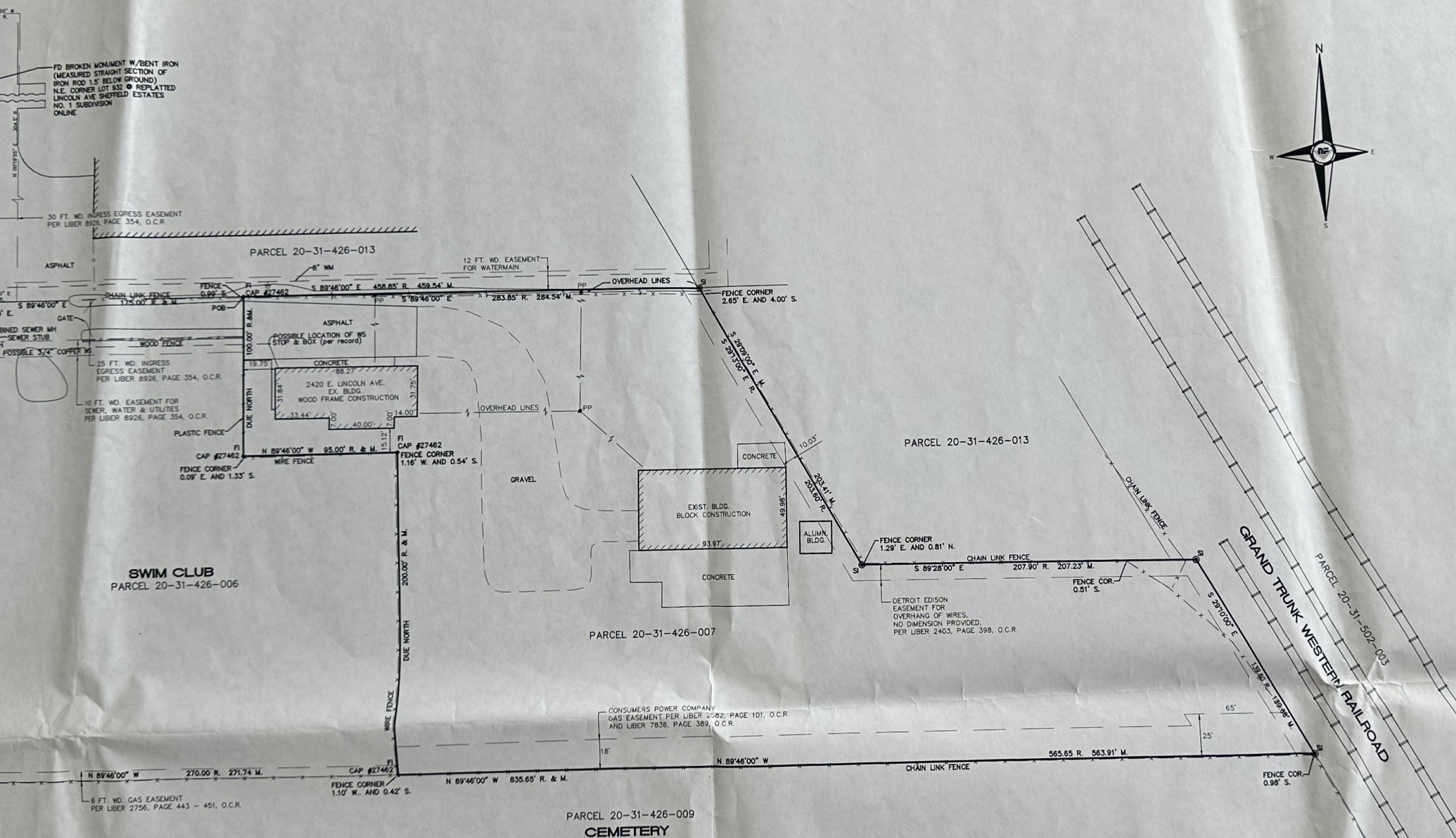
This plan is a landscape concept and it is intended that the designer be involved to consider on-site details. The plan is not a final construction document. It is the property of Great Oaks Landscape Associates, Inc. for its sole use. Unauthorized use of this plan is prohibited.

Scale:	1" = 20'	Date:	April 21, 2025
Drawn by:	SAA	Revisions:	
Checked by:	GR		
Proposal:			

2420 East Lincoln Street
Clover Hill Park Cemetery
Maintenance Facilities
March 28, 2025







LEGAL DESCRIPTION - As Surveyed

Land located in the City of Birmingham, being a part of the Northeast 1/4 of the Southeast 1/4 of Section 31, T.2N., R.11E., Troy Township, Oakland County, Michigan, being described as commencing at the South 1/4 corner of said Section 31; thence S. 89° 57' 51" E., 1311.96 feet measured (N. 89° 58' 50" E., 1311.85 feet record) along the South line of said Section 31; thence N. 00° 19' 55" E., 1728.49 feet measured (1728.80 feet record) along the South line of said Section 31; thence N. 00° 19' 55" E., 489.80 feet (record and measured); thence continuing along said Easterly line of said subdivision, to the Southeast corner of Lot 907 of said subdivision; thence S. 89° 46' 00" E., 175.00 feet (record and measured) to the point of beginning; thence S. 89° 46' 00" E., 284.54 feet measured (283.85 feet record); and measured) to the point of beginning; thence S. 89° 46' 00" E., 203.60 feet (record); thence S. 89° 28' 00" E., 207.23 feet measured (207.90 feet record) to the Westerly line of the Grand Trunk Western Railroad; thence along 207.23 feet measured (207.90 feet record) to the Westerly line of the Grand Trunk Western Railroad; thence along 207.23 feet measured (207.90 feet record) to the Westerly line of the Grand Trunk Western Railroad; thence N. 89° 46' 00" W., 563.91 feet measured (565.65 feet record); thence due North, 100.00 feet (record and measured); thence N. 89° 46' 00" W., 95.00 feet (record and measured); thence due North, 100.00 feet (record and measured) to the point of beginning. Containing 116,772 square feet or 2.681 acres and subject to any easements of record.

LEGAL DESCRIPTION - per Title Commitment

A parcel of land in the Northeast 1/4 of the Southeast 1/4 of Section 31, Town 2 North, Range 11 East, Troy Township, Oakland County, Michigan, being described as commencing at the South 1/4 corner of said Section 31; thence S. 89° 57' 51" E., 1311.96 feet measured (N. 89° 58' 50" E., 1311.85 feet record) along the South line of said Section 31; thence N. 00° 19' 55" E., 1728.49 feet measured (1728.80 feet record) along the South line of said Section 31; thence N. 00° 19' 55" E., 489.80 feet (record and measured); thence continuing along said Easterly line of said subdivision, to the Southeast corner of Lot 907 of said subdivision; thence S. 89° 46' 00" E., 175.00 feet (record and measured) to the point of beginning; thence S. 89° 46' 00" E., 284.54 feet measured (283.85 feet record); and measured) to the point of beginning; thence S. 89° 46' 00" E., 203.60 feet (record); thence S. 89° 28' 00" E., 207.23 feet measured (207.90 feet record) to the Westerly line of the Grand Trunk Western Railroad; thence along 207.23 feet measured (207.90 feet record) to the Westerly line of the Grand Trunk Western Railroad; thence N. 89° 46' 00" W., 563.91 feet measured (565.65 feet record); thence due North, 100.00 feet (record and measured); thence N. 89° 46' 00" W., 95.00 feet (record and measured); thence due North, 100.00 feet (record and measured) to the point of beginning. Containing 116,772 square feet or 2.681 acres and subject to any easements of record.

FLOOD HAZARD NOTE

This property is not within the flood hazard area as indicated by Flood Hazard Boundary Map 260168 0005 B. City of Birmingham, Oakland County, Michigan, as prepared by the Department of Housing and Urban Development, Federal Insurance Administration, identification date May 15, 1980.

SURVEYOR'S CERTIFICATE

The undersigned, being a registered surveyor of the State of Michigan certifies to Clover Hill Park Cemetery and First American Title Company as follows:

- This map or plot and the survey on which it is based were made in accordance with the Minimum Standard Detail requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by the American Land Title Association and the American Congress on Surveying and Mapping in 1992 and amended in 1997 and this survey meets the requirements for an Urban Survey as defined therein.
- The survey was made on the ground between March 26th and May 23rd, 2001 and then reconfirmed on October 15, 2001.

Clover Hill Park Cemetery
1175 Forest Hills Lane
Birmingham, MI 48009
April 4, 2025

Kim Raznik
248-723-8884





























April 4, 2025

VIA HAND DELIVERY

Mr. Nicholas Dupuis
Planning Director
City of Birmingham
151 Martin Street
Birmingham, Michigan 48009

Re: Final Site Plan & Design Review Application
Applicant: Clover Hill Park Cemetery
Address: 2425 E. 14 Mile Rd. & 1175 Forest Hills Lane
Birmingham, Michigan 48009
Parcel Nos. 20-31-426-007 and 20-31-426-009

Dear Mr. Dupuis,

This firm represents Clover Hill Park Cemetery, which was founded in 1918 by Congregation Shaarey Zedek. This historic cemetery located along E. 14 Mile has been an important part of the Metropolitan Detroit Jewish community for over three generations. In an effort to continuously upgrade and improve the cemetery, our client desires to relocate existing maintenance and storage buildings on the north end of the property to an eastern adjacent parcel within the City of Royal Oak. The northern portion of the property would be repurposed for future burials. Cemetery analysis shows that existing cemetery burial space will likely be exhausted in approximately 30 years. The opportunity to create additional burial space by relocating maintenance and storage buildings that are in need of repair, will extend the years that the cemetery will be able to provide burial space.

In order to remove the maintenance and storage buildings and repurpose this area for burials, our client is required to: (i) obtain site plan approval from the Birmingham Planning Board, and (ii) obtain an amendment to the Board of Zoning Appeals Use Variance Grant that was issued by the Board of Appeals on September 10, 2022 for continuation of cemetery use within in the R-2 and MU zoning districts. We are simultaneously filing both applications, and will be requesting that the Planning Board approve the site plan subject to the Board of Zoning Appeals' approval of an amendment to the Use Variance Grant. We submit that the expansion of the burial area to the northern portion of the property will place a less intense use adjacent to the northern neighbors, and relocate operational and storage uses to a more appropriate location to the east.

April 4, 2025

Page 2

In connection with this application, we have submitted the following documents for your review:

1. Final Site Plan & Design Review Application;
2. Survey of the subject property;
3. Aerial photos of the subject property;
4. Photos of existing conditions of the subject property;
5. Site plan of the subject property showing the proposed layout of the burial area, proposed access to the subject property, and proposed landscaping for the subject property; and
6. Check payable to the City of Birmingham in the amount of \$2,150 to cover the final site plan and design review fees.

We look forward to appearing with our client before the Planning Board and discussing the proposed site modifications with the Board. Should you have any questions or concerns regarding this application, or need any additional information or documents to process it, please do not hesitate to contact me.

Very truly yours,

HONIGMAN LLP



J. Patrick Howe



MEMORANDUM

Planning Department

DATE: April 23, 2025

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: 525 N. Old Woodward – Luxe – Pre-Application Discussion

A pre-application discussion has been requested to gather feedback on a proposal to modify the currently approved outdoor dining facility in the N. Old Woodward right-of-way in front of the existing Luxe Bistro.

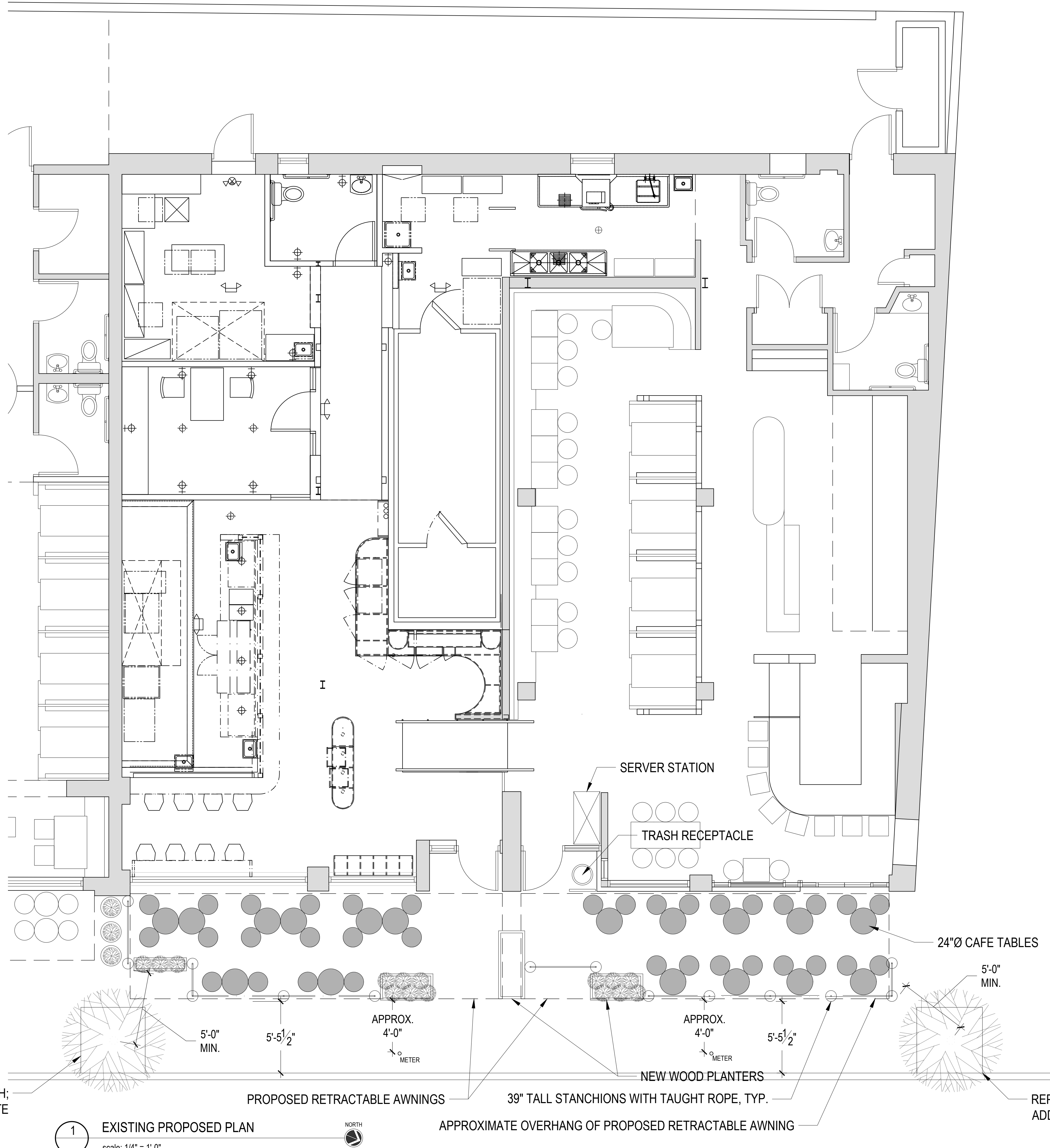
On August 26, 2020 ([Agenda](#) – [Minutes](#)), the Planning Board reviewed and recommended approval for a Special Land Use Permit, Final Site Plan & Design Review for Luxe to expand into the tenant space to the south and also modify their outdoor dining facility. The approved plans contain outdoor dining on both sides of the sidewalk; 28 against the building and 20 in the furnishing zone.

On May 10, 2023 ([Agenda](#) – [Minutes](#)), the owner of Luxe submitted plans for a pre-application discussion that involved adding a retractable awning to the building. The request to direct the Planning Department to review the plans administratively were rejected, mostly due to conditions of significant encroachment into the required 5 ft. walking path observed by the Planning Board in this area.

The plans submitted for the pre-application discussion include two distinct proposals: (1) the addition of retractable awnings and (2) the redesign of the outdoor dining facility to remove seats from the furnishing zone and reduce outdoor dining seats from 48 to 36.

Should the Planning Board find the proposal to meet the intent of the outdoor dining standards, the Planning Department is requesting that the Planning Board permit this redesign to be administratively approved by Planning Department staff as opposed to a full site plan review.

No other changes are proposed to the site or building at this time.



REPLACED TREE MOVED 10'-0" TO SOUTH;
ADD NEW ADA COMPLIANT TREE GRATE

1 EXISTING PROPOSED PLAN
scale: 1/4" = 1'-0"

PROPOSED RETRACTABLE AWNINGS

39" TALL STANCHIONS WITH TAUGHT ROPE, TYP.
APPROXIMATE OVERHANG OF PROPOSED RETRACTABLE AWNING

NEW WOOD PLANTERS

24"Ø CAFE TABLES

5'-0" MIN.

REPLACED TREE MOVED 30'-0" TO NORTH;
ADD NEW ADA COMPLIANT TREE GRATE

PROPOSED CAFE SEATING:

INDOOR:	65
OUTDOOR:	34
TOTAL:	99

R O M A N A N D R O M A N
architects et al.
275 E. Frank St. Birmingham, MI 48009
o) 248.723.5790 f) 248.723.5795

Project:

LUXE FRONT IMPROVEMENTS
NEW AWNINGS AND OUTDOOR DINING
523 North Old Woodward, Birmingham, MI 48009

Seal:

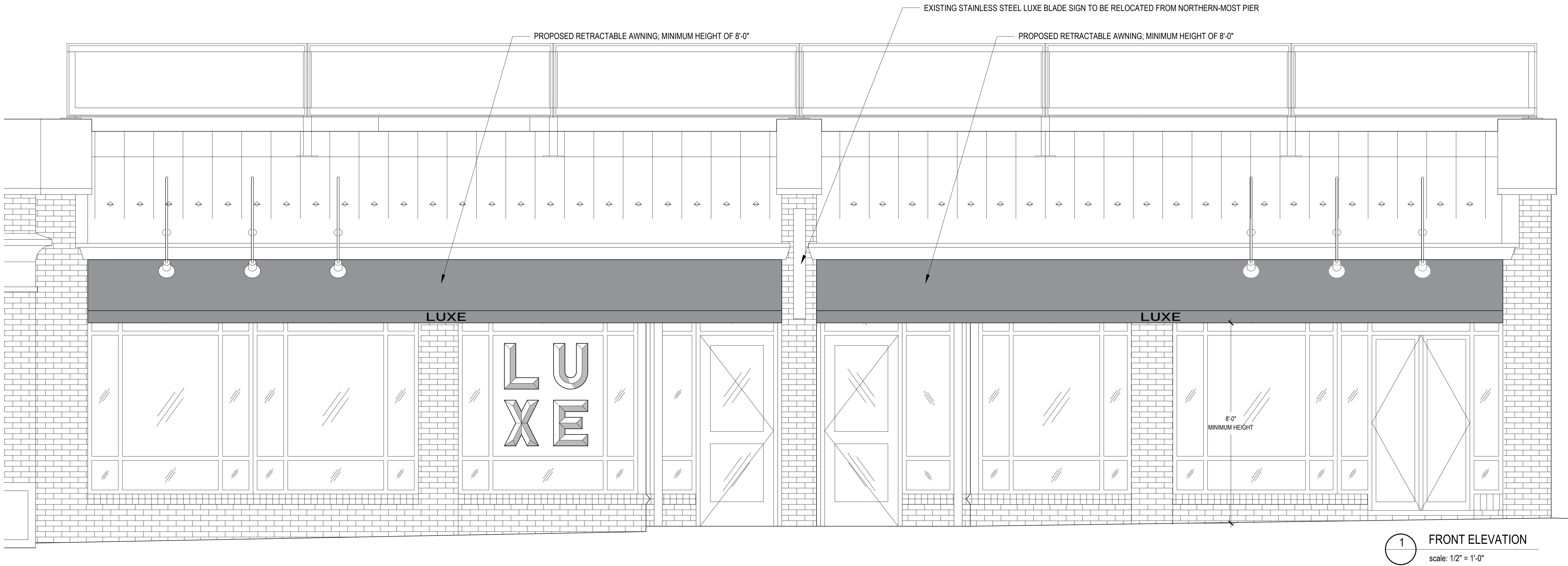
Issue Date:
ADMIN

Sheet Title:

FRONT
ELEVATION

Sheet Number:

AA101



R O M A N A N D R O M A N
architects et al.
275 E. Frank St. Birmingham, MI 48009
o) 248.723.5790 f) 248.723.5795

Project:

LUXE FRONT IMPROVEMENTS
NEW AWNINGS AND OUTDOOR DINING
523 North Old Woodward, Birmingham, MI 48009

Seal:

Issue Date:
ADMIN

Sheet Title:

FRONT
ELEVATION

Sheet Number:

AA201



MEMORANDUM

Planning Department

DATE: April 23, 2025

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Project Updates & Information

The following report contains the most recent updates on projects that have completed by the Planning Board and are on to the next steps of approval. In addition, other significant development-related projects that have been reviewed or embarked upon by boards/commissions such as the Historic District Commission, Design Review Board, Multi-Modal Transportation Board, or similar bodies have been included for reference as well.

Site Plan & Design Reviews

- 2159 E. Lincoln – Lincoln Yard – Temporary Certificate of Occupancy has been issued
- 35001 Woodward – Land lease executed by City Commission/design development, site plan extension granted on November 13, 2024
- 239 N Old Woodward – Bloom Bistro – Under construction
- 300 S. Old Woodward – Restoration Hardware – Under construction
- 707 S. Worth – Under construction, Final Inspections
- 243 Merrill – La Strada – Final inspections
- 320 Martin – Birmingham Post Office – Permitting
- 34350 Woodward – Fred Lavery Porsche – Design Development, site plan extension request granted on March 26, 2025.
- 479 S. Old Woodward – Birmingham Tower – Under construction
- 245 S. Eton – Big Rock – Under construction
- 33866 Woodward – The Vault – Permitting
- 370 E. Brown – Under construction

City Commission

- 33278 Woodward – Ducati Detroit – Set Public Hearing (Waiting on Applicant)
- 225 E. Maple – Social Kitchen & Bar – Special Land Use Permit Amendment, Final Site Plan & Design Review – **Application Withdrawn**

Ordinance Amendments/Master Planning

- -

Non-Planning Board Projects

- 185 Oakland – Belfor – Façade renovations, permitting
- 33680 Woodward – Petrucci Studio – Under construction
- 138 W. Maple – Blakeslee Building – Façade renovations, permitting
- 151 N. Eton – Façade and screening improvements, final inspections
- 34500 Woodward – Golling Fiat – Façade renovations, design development
- 106 S. Old Woodward – O’Neal Building – Façade renovations, permitting

- Historic Preservation Master Plan – In progress.
- National Historic Preservation Month – Wallace Frist

PZE Process Detail - DRB+HDC+PB

04/16/2025

ADMIN APPROVAL - PB

App Date	Case #	Scope of Work	Property Address	Status
03/18/2025	PAA25-0023	Interior/exterior renovations for new tenant - Polestar	33866 WOODWARD AVE	COMPLETED - APPROVED

Total Processes For Type: 1



AGENDA

REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD

WEDNESDAY MAY 14, 2025 – 7:30 PM

151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

-
- A.** Roll Call
 - B.** Review and Approval of the Minutes of the Regular Meeting of **April 23, 2025**
 - C.** Chairpersons' Comments
 - 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 Studies
 - I.** Special Land Use Permits
 - J.** Site Plan & Design Reviews
 - K.** Study Session
 - 1. **Triangle District Bonus Height Requirements Phase 2 – Study Session**
 - 2. **Impervious Surface, Open Space & Lot Coverage – Study Session**
 - 3. **Childcare Ordinance – Study Session**
 - L.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - i. **Project Updates**
 - ii. **Joint Meeting – June 16, 2025**
 - 3. Administrative Approval Correspondence
 - i. **April 18, 2025 – May 9, 2025**
 - 4. Draft Agenda – **May 28, 2025**
 - 5. Action List – **2025**
 - 6. Other Business
 - M.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
 - N.** Adjournment

*Please note that board meetings will be conducted in person once again. Members of the public can attend in person at Birmingham City Hall OR may attend virtually at:

Link to Access Virtual Meeting: <https://zoom.us/j/111656967>

Telephone Meeting Access: 877-853-5247 US Toll-Free

Meeting ID Code: 111656967

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 248-644-3405 (TDD) at least one day before the meeting to request help in mobility, visual, hearing, or other assistance.

Las personas con incapacidad que requieren algún tipo de ayuda para la participación en esta sesión pública deben ponerse en contacto con la oficina del escribano de la ciudad en el número (248) 530-1800 o al (248) 644-5115 (para las personas con incapacidad auditiva) por lo menos un día antes de la reunión para solicitar ayuda a la movilidad, visual, auditiva, o de otras asistencias. (Title VI of the Civil Rights Act of 1964).



AGENDA

REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD

WEDNESDAY MAY 28, 2025 – 7:30 PM

151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

-
- A.** Roll Call
 - B.** Review and Approval of the Minutes of the Regular Meeting of **April 23, 2025**
 - C.** Chairpersons' Comments
 - 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.** Special Land Use Permits
 - 1. **479 S. Old Woodward – Birmingham Towers – Request for Special Land Use Permit to Modify Floor Plans and Seek Approval of a Parking Waiver Pursuant to Article 3, Section 3.04 (D)(3)(a) of the Zoning Ordinance.**
 - I.** Community Impact Studies
 - J.** Site Plan & Design Reviews
 - 1. **479 S. Old Woodward – Birmingham Towers – Request for Special Land Use Permit to Modify Floor Plans and Seek Approval of a Parking Waiver Pursuant to Article 3, Section 3.04 (D)(3)(a) of the Zoning Ordinance.**
 - K.** Study Session
 - L.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - i. **Project Updates**
 - ii. **Joint Meeting – June 16, 2025**
 - 3. Administrative Approval Correspondence
 - i. **May 9, 2025 – May 23, 2025**
 - 4. Draft Agenda – **June 11, 2025**
 - 5. Action List – **2025**
 - 6. Other Business
 - M.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
 - N.** Adjournment

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Planning Board Action List – 2025

Topic	General Goals	City Commission Directive?	2040 Plan	Quarter	Status	
					In Progress	Complete
Comprehensive Zoning Ordinance Update	Update the Zoning Ordinance based on recommendations of the 2040 Plan.	☐	☒	Ongoing	☐	☐
Triangle District Bonus Height Requirements	Create a new list of bonus height provisions for the Triangle District	☐	☐	1 st (January-March)	☒	☐
Impervious Surface, Open Space & Lot Coverage	Review and improve standards for impervious surfaces and ensure consistency with open space and lot coverage goals	☐	☐	1 st (January-March)	☒	☐
Public Project Review Process	Develop a comprehensive set of guidelines for the review of public development projects	☐	☐	2 nd (April-June)	☐	☐
“Create a Woodward Safety and Beautification Plan.”	Begin to address the Woodward divide.	☐	☒	3 rd (July-September)	☐	☐
Ordinance Enforcement	Maintain a vibrant community.	☐	☐	4 th (October-December)	☐	☐