

City Of Birmingham
Regular Meeting Of The Planning Board
April 23, 2025
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on April 23, 2025.
The meeting was convened at 7:30 p.m.

A. Roll Call

Present: Chair Scott Clein; Board Members Robin Boyle, Daniel Share, Janelle Whipple-Boyce; Alternate Board Member Nasseem Ramin

Absent: Vice Chair Bryan Williams; Board Members Stuart Jeffares, Bert Koseck; Alternate Board Member Duncan Currie ~~Nasseem Ramin~~¹; Student Representatives Carter Anderson, Olivia Betanzos

Staff: Planning Director Dupuis; City Transcriptionist Eichenhorn

B. Approval Of The Minutes Of The Regular Planning Board Meeting of April 9, 2025

04-18-25

Motion by Share

Seconded by Boyle to move the approval of the minutes of April 9 with one correction.

Motion carried, 5-0.

VOICE VOTE

Yeas: Clein, Ramin, Whipple-Boyce, Share, 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. 185 N. Old Woodward – Bell Bistro – Special Land Use Permit Request for New Outdoor Dining Facility in N. Old Woodward Right-of-Way**

¹As amended at the May 14, 2025 meeting.

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

Randy Dickow, representative for the project, spoke regarding the request.

Board members raised the following points during discussion:

- Treating this outdoor dining area as one works well for the City. Including the bench and adding cushions could be a beneficial change as well.
- This proposed dining area would extend into Paris Baguette's dining area, which could be an issue.
- The owner of Paris Baguette confirmed that he would be amenable to the plan put forth by the owner of Bell Bistro.
- As long as all owners are in agreement, it would be better to proceed with Bell Bistro's present proposal.
- The City Attorney should determine whether any agreement would need to be entered into for the use of the public bench as part of this outdoor dining. There is precedent for the private use of the public bench.
- This could bring more desired activation to the street.
- This proposal should not go before the Commission without congruence between Paris Baguette's and Bell Bistro's outdoor dining plans, and an agreement if necessary with the owner of the building to the south to allow Bell Bistro's outdoor dining to occupy the approximately two feet of space between the buildings.
- If necessary, given the owner's stated willingness, Bell Bistro should give up a few outdoor dining seats if that makes these plans and agreements align better.
- This plan reflects no heaters, fire equipment, or anything else beyond the umbrellas, chairs, tables, and cushions shown. If a change requiring Board approval were to be proposed in the future, the applicant could bring that for Board review at that time.

04-19-25

Motion by Share

Seconded by Whipple-Boyce 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 required outdoor dining elements including the trash receptacles;**
- 2. The approval is contingent upon the approval of the outdoor dining plan consistent with the entire proposal shown here for Paris Baguette, including whatever approval is necessary from the owner of the building to the south, if any;**
- 3. The applicant will be required to confirm the approval from the property owner immediately to the south of Bell Bistro pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance;**
- 4. The applicant must maintain a valid outdoor dining permit; and,**
- 5. The applicant must comply with all requests of City Departments.**

Motion carried, 5-0.

ROLL CALL VOTE

Yeas: Clein, Ramin, Whipple-Boyce, Share, Boyle

Nays: None

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

Discussed during Item I1.

04-20-25

Motion by Share

Seconded by Whipple-Boyce 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 and design review application for 185 N. Old Woodward – Bell Bistro – subject subject to the following conditions:

- 1. The applicant must submit revised site plans demonstrating the quantity and placement of all required outdoor dining elements including the trash receptacles;**
- 2. The approval is contingent upon the approval of the outdoor dining plan consistent with the entire proposal shown here for Paris Baguette, including whatever approval is necessary from the owner of the building to the south, if any;**
- 3. The applicant will be required to confirm the approval from the property owner immediately to the south of Bell Bistro pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance;**
- 4. The applicant must maintain a valid outdoor dining permit; and,**
- 5. The applicant must comply with all requests of City Departments.**

Motion carried, 5-0.

ROLL CALL VOTE

Yeas: Clein, Ramin, Whipple-Boyce, Share, Boyle

Nays: None

2. 35001 Woodward – Request for site plan approval extension of one year

PD Dupuis presented the item. Kevin Biddison, architect, and Hesham Gayar, owner, spoke on behalf of the request. Informational questions from the Board were answered.

Board members raised the following points during discussion:

- This proposal was acceptable. Another request in a year from now because construction drawings had to be finished for financing might raise some questions.

- Dr. Gayar should let PD Dupuis know once the loan commitment has been secured.
- It was positive that the owner was putting equity into the project.

04-21-25

Motion by Boyle

Seconded by Whipple-Boyce to move that the Planning Board grant an extension of 12 months for the approved site plans for 35001 Woodward.

Motion carried, 5-0.

VOICE VOTE

Yeas: Clein, Ramin, Whipple-Boyce, Share, Boyle

Nays: None

3. 163 W. Maple – Origins Café – Final Site Plan & Design Review Request for New Outdoor Dining Platform in W. Maple Right-of-Way

PD Dupuis provided an overview of the item and answered informational questions from the Board. It was noted that the applicant was not present.

Board members raised the following points during discussion:

- It might make more sense for the platform to take up two parking spaces, plus the non-parking space on each side, in order to make a shallower deck and more room on the street for drivers.
- This applicant has different hours than Dick O'Dow's, which will result in different busy times. This applicant also does not have a liquor license.
- This applicant does good work, and will likely be easy to work with on this application.
- Input from the Engineering Department and possibly the City's traffic engineer could be helpful.
- There are concerns about the ability to maintain the mandatory ADA/pedestrian clear path on the sidewalk with these plans.
- It may be appropriate for the City to review its application requirements.
- The plans submitted by the applicant did not include sufficient detail about the context.
- It makes sense to postpone this item so the applicant can provide the requisite information.

04-22-25

Motion by Whipple-Boyce

Seconded by Share to postpone the Final Site Plan & Design Review application for 163 W. Maple – Origins Cafe to May 28th.

Motion carried, 5-0.

VOICE VOTE

Yeas: Clein, Ramin, Whipple-Boyce, Share, Boyle

Nays: None

4. 185 Oakland – Request for Final Site Plan & Design Review for New Whole-Building Generator at Rear of Property (Postponed from February 26, 2025)

PD Dupuis summarized the request.

04-23-25

Motion by Boyle

Seconded by Share to postpone indefinitely the consideration of the Final Site Plan & Design Review application for 185 Oakland Avenue – Belfor Property Restoration.

Motion carried, 5-0.

VOICE VOTE

Yeas: Clein, Ramin, Whipple-Boyce, Share, Boyle

Nays: None

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

PD Dupuis presented the item. Kim Rasnick spoke on behalf of the project. Both answered informational questions from the Board.

Board members raised the following points during discussion:

- Arborvitae should be added to the west side along the fencing in order to screen the view from the Forest Hills Swim Country Club (FHCC)² and the parking area.
- The area to the north west should not be used for burials. If it were permitted, it would surround the Forest Hills Swim Club FHCC³ swimming area with burial plots.
- Alternatively, the north west area could be used for burials in the future, but adequate screening is important.
- The present site plan does not contemplate burials in the north west area. Revised site plans would need to be submitted if burials were to occur in that area.
- These plans would have benefitted from more detail.
- The site and landscape plans should be updated for consistency and to reflect the plans to add arborvitae along the west side and anything else that might be added.
- The applicant deserved recognition for its efforts to expand capacity.
- While the area to the south is presently a very wooded area, these changes would result in burials in that area and very few trees.

04-24-25

Motion by Share

²As amended at the May 14, 2025 meeting.

³As amended at the May 14, 2025 meeting.

Seconded by Whipple-Boyce 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 provide arborvitae screening along the far northwest and easterly return consistent with the arborvitae shown on the plan elsewhere in the new area;**
- 3. The applicant must comply with the requests of all City Departments; and**
- 4. 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.**

Board member comment on the motion was as follows:

- Consideration of a site plan extension is contingent upon efforts to implement the site plan during the intervening year.**
- The plans should be updated to reflect the additional screening and to align with each other.**

Motion carried, 5-0.

VOICE VOTE

Yeas: Clein, Ramin, Whipple-Boyce, Share, Boyle

Nays: None

K. Study Session

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 that more information was necessary and 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**

04-25-25

Motion by Clein

Seconded by Boyle to set a public special meeting of the Planning Board for April 30, 2025 for the sole discussion of 400 E. Lincoln.

Motion carried, 5-0.

VOICE VOTE

Yeas: Clein, Ramin, Whipple-Boyce, Share, Boyle

Nays: None

04-26-25

Motion by Share

Seconded by Whipple-Boyce to amend the rules of procedure for the meeting of May 14th, 2025 to allow for the consideration of site plans and study items.

Motion carried, 5-0.

VOICE VOTE

Yeas: Clein, Ramin, Whipple-Boyce, Share, Boyle

Nays: None

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 9:14 p.m.



Nick Dupuis, Planning Director



Laura Eichenhorn, City Transcriptionist