

City Of Birmingham
Regular Meeting Of The Planning Board
May 14, 2025
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on May 14, 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, Bert Koseck, Daniel Share, Janelle Whipple-Boyce; Student Representatives Carter Anderson, Olivia Betanzos

Absent: Alternate Board Members Duncan Currie, Nasseem Ramin

Staff: City Planner Aldred-Arens, City Planner Blizinski, City Transcriptionist Eichenhorn

B. Approval Of The Minutes Of The Regular Planning Board Meeting of April 23, 2025, April 30, 2025

05-28-25

Motion by Whipple-Boyce

Seconded by Boyle to move approval of the minutes of April 23rd.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

05-29-25

Motion by Share

Seconded by Koseck to move approval of the minutes of April 30th, 2025 as corrected.

Motion carried, 7-0.

VOICE VOTE

Yeas: Williams, Jeffares, Koseck, Clein, 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

J. Site Plan & Design Reviews

1. 168 W. Maple – Teuta – Final Site Plan & Design Review Request for New Outdoor Dining Facility in W. Maple Right-of-Way

CP Blizinski presented the item. Staff answered questions from the Board.

Board members raised the following points during discussion:

- This plan would result in a usable parking space between two dining decks, which would present a safety concern.
- It might be possible and appropriate for outdoor dining to be located on the sidewalk, given the narrowness of W. Maple. This should be trialed before considering a dining deck in this location.
- While outdoor dining could not be located in front of the ADA access on the sidewalk, there might still be room for some outdoor dining.
- Outdoor dining could possibly be located adjacent to the building or in the furnishing zone, depending on other nearby conditions.
- Since these are newer applicants, it would be helpful to clarify that the furnishing zone is the area of sidewalk close to the curb.
- The applicant was absent.
- The changes and costs required to move the ADA parking space would likely be prohibitive.
- These plans are incomplete. There was insufficient information about overhead protection, potential heating elements, and other possible features. Proposed materials were not supplied to the Board. A material review is required as part of a final site plan review.
- If Teuta resubmits plans, the pedestrian walk should be indicated.
- There are strong practical difficulties in taking this parking¹ space away and using it for outdoor dining as presently proposed.
- The Board is not supportive ~~un~~supportive² of outdoor dining on a deck in the street³ in general at this location. The applicant must attend the next discussion meeting and provide more information.

05-30-25

Motion by Williams

Seconded by Boyle to postpone consideration of 168 W. Maple – Teuta final site plan and design review to June 11, 2025.

Motion carried, 7-0.

¹As amended at the May 28, 2025 meeting.

²As amended at the May 28, 2025 meeting.

³As amended at the May 28, 2025 meeting.

VOICE VOTE

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

Nays: None

05-31-25

Motion by Williams

Seconded by Whipple-Boyce to make a motion that the first meeting in June be a meeting where we consider both site plan approvals and also study session.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

K. Study Session

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

CP Blizinski presented the item. Staff answered questions from the Board.

Board members raised the following points during discussion:

- Article 4, Section 4.31 should have a period after "vegetated open space". Then, "Permeable pavers or other semi-hardscape materials are not considered vegetated open space." should be included in Article 4, Section 4.31 should be added.
- This would create consistency between Article 4, Section 4.30 and Article 4, Section 4.31. These sections should be similar.
- A notice for public hearing should note that change.
- This solves the issue the Board set out to solve in revising these sections.
- It allows single family residential to design towards low impact.
- It also incentivizes the reduction of pavement and the use of aggregate and other materials.
- Artificial turf is not impermeable by definition.
- The matter of how artificial turf is treated in the zoning ordinance could be discussed during the Board's future ordinance updates.
- 'Highly compacted' is a phrase that would be understood by engineers and contractors.

05-32-25

Motion by Share

Seconded by Williams that the Planning Board set a public hearing date of June 11, 2025 to review the proposed ordinance amendments to Article 4, Section 4.30, Open Space Standards, to add Additional Open Space Standards for single-family residential zoned properties, Article 4, Section 4.31, Open Space Standards, to modify the Paved Surface Limitations in the R1, R1A, R2 and R3 Zoning Districts, and Article 9, Section 9.02, Definitions, to modify the definition for Impervious Surface, and that for purposes of the notice, Section 4.31(A)(1) read "A minimum of 65% of the front

open space in all single-family districts shall be vegetated open space. Permeable pavers or other semi-hardscape materials are not considered vegetated open space.”

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

2. Childcare Ordinance – Study Session

CP Aldred-Arens presented the item. Staff answered questions from the Board.

Board members raised the following points during discussion:

- 'Family childcare home' and 'group childcare home' are located in residential structures. The 'family childcare home' definition should specify this.
- Churches used for childcare would be categorized as 'childcare centers'.
- A group childcare home would permit up to 14 children in a single home.
- The number of children allowed seems high. The required minimum space seems constrained for the number of children permitted.
- All childcare facilities require employees, which could increase parking demand in the relevant residential areas.
- Pick-up and drop-off of children would be occurring within a residential context.
- Family childcare homes and childcare centers could sufficiently accommodate the need for both smaller and larger childcare spaces. Consequently, there may be sufficient childcare options to forego group childcare homes within the City.
- The City Attorney must review whether it would be legally possible to forego group childcare homes within the City.
- It might be easier for the City to regulate group childcare homes if it is included as a zoning category within the ordinance. The group childcare home use may be recommended in too many zoning categories presently.
- Some of the childcare centers are located within residentially-zoned areas. It might be appropriate to amend the ordinance to change those instances from pre-existing non-conforming to conforming.
- The ordinance could specify that childcare centers cannot operate within any single family home, which would reduce encroachment concerns.
- The Board could also consider whether accessory uses in certain other zones might make sense. The accessory uses could be specified for something to the effect of 'otherwise institutional structures'. The City Attorney should opine on these potential amendments as well.
- Given the number of questions that have arisen, the City Attorney's presence should be requested for a future review of this item.
- It would not be appropriate to set a public hearing for this item presently.
- It would be appropriate to consider whether any of these uses should be within TZ zones.
- The changes to the language from last time were well done.
- There were no concerns about the family childcare home use.
- A special land use permit might address childcare centers within residential areas.

- It would be beneficial to resolve this at the June meeting, before the Board embarks on its upcoming ordinance review.

L. Miscellaneous Business and Communications

1. Pre-Application Discussions

i. 283 Hamilton Row – Marrow – Outdoor Dining

CP Blizinski introduced the proposal. Pauline Knighton-Prueter spoke on behalf of the proposal.

Board consensus was that while some adjustments and further information would be necessary, outdoor dining could be considered for this location.

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

Board members raised the following points during discussion:

- The number of incomplete plans and absent applicants in recent months has been a source of frustration.
- There was question as to why some applicants recently did not seem to understand that their presence was necessary for these reviews. Presumably the owners are interested in advancing their proposals.
- Applicant absences have recently occurred with Cafe Origins, Luxe, and Teuta.

M. Planning Division Action Items

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

Board members raised the following points during discussion:

- It would be appropriate to discuss whether the number of dining decks should be limited on streets with certain conditions could be raised at the Board's joint meeting with the Commission.
- Whether the Commission recommends a limitation on dining decks on certain streets, the Board should still consider the minimum number of parking spaces that should be allowed between dining decks as a safety matter.
- Since the Board intends to complete an upcoming ordinance review, questions about artificial turf, perviousness, and open space should be explored at that time.
- It would be helpful for staff to compile a list of the Board's ongoing to-do actions, such as a further discussion of artificial turf.

N. Adjournment

No further business being evident, the meeting adjourned at 9:11 p.m.



Nick Dupuis, Planning Director



Laura Eichenhorn, City Transcriptionist

APPROVED