



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 **May 14, 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. **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.**
 - 2. **298 S. Old Woodward – Daxton Hotel – Request for Special Land Use Permit to Modify Required Off-Street Loading Facility.**
- J.** Site Plan & Design Reviews
 - 1. **479 S. Old Woodward – Birmingham Towers – Request for Final Site Plan & Design Review 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.**
 - 2. **298 S. Old Woodward – Daxton Hotel – Request for Final Site Plan & Design Review to Modify Required Off-Street Loading Facility.**
 - 3. **163 W. Maple – Origins Café – Final Site Plan & Design Review Request for New Outdoor Dining Platform in W. Maple Right-of-Way (POSTPONED FROM 4/23/25).**
- K.** Study Session
- L.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - i. **Project Updates**
 - ii. **2025-2026 Budget – Zoning Ordinance Update**
 - iii. **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

*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

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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 space away and using it for outdoor dining as presently proposed.
- The Board is not unsupportive of outdoor dining 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.

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



MEMORANDUM

Planning Department

DATE: May 28, 2025

TO: Planning Board Members

FROM: Nick Dupuis, Planning Director

SUBJECT: 479 S. Old Woodward – Special Land Use Permit, Final Site Plan & Design Review

The subject site, 479 S. Old Woodward, is located at the south end of Downtown Birmingham in the B3 (Office-Residential) and D4 (Downtown Overlay) zoning districts. The site is currently under construction and is slated to be completed in 2026. The site is directly adjacent to the existing Birmingham Place mixed-use building to the north, and is across Hazel Street from the 555 mixed-use building to the south.

On June 24, 2020 ([Agenda – Minutes](#)), the Planning Board accepted the Community Impact Study and approved the Preliminary Site Plan for a new five story mixed-use building.

On September 23, 2020 ([Agenda – Minutes](#)), the applicant obtained Final Site Plan & Design Review approval from the Planning Board. The approved plans had 50 residential units, two levels of underground parking for residents, and ground level parking for ground level retailers for a total of 84 parking spaces on-site. During the hearing, the applicant indicated they would be applying to be within the Parking Assessment District. The subject property has since been denied such admittance. It was determined that all assessments for public parking structures have been paid and a retroactive fee may not be assessed given the City's 20-year timeline expiration from the initial assessment.

On January 12, 2021 ([Agenda – Minutes](#)), the applicant obtained a variance to allow 7 parking spaces within 20 feet of the ground level building frontage along Hazel Street and to have two loading spaces less than 40 feet long (35 feet) facing Woodward Avenue.

On August 25, 2021 ([Agenda – Minutes](#)), the Planning Board approved a request for a Final Site Plan extension.

On September 28, 2022 ([Agenda – Minutes](#)), the applicant appeared before the Planning Board for a revised Final Site Plan. The applicant indicated they could not construct two levels of

underground parking and revised the site plan to include one level of underground parking and no ground level parking. The revised plans were 74 parking spaces short of the Zoning Ordinance requirement. The Planning Board moved to deny the Final Site Plan by a vote of 4-2.

On November 8, 2022 ([Agenda](#) – [Minutes](#)), the applicant appeared before the Board of Zoning Appeals to request a variance of 74 parking spaces, claiming that they could not structurally provide two levels of underground parking. The applicant's request was denied by a vote of 6-1.

On September 28, 2022 ([Agenda](#) – [Minutes](#)), the applicant appeared before the Planning Board for an ordinance amendment to allow parking requirements of the D4 Overlay zoned properties outside of the former parking assessment districts to be waived through a SLUP. The applicant claimed they could not provide two levels of underground parking to accommodate required off-street parking, and therefore needed a waiver of requirements. The Planning Board recommended approval of the ordinance amendment to the City Commission by a vote of 4-2.

On December 5, 2022 ([Agenda](#) – [Minutes](#)), the applicant appeared before the City Commission for their ordinance amendment to allow parking requirements of D4 Overlay zoned properties outside of the former parking assessment districts to be waived through a SLUP. The City Commission approved the ordinance amendment by a vote of 5-2. Therefore, it is now possible for the applicant to have parking requirements waived by City Commission through the provisions of a SLUP.

On January 25, 2023 ([Agenda](#) – [Minutes](#)), the applicant appeared before the Planning Board for Final Site Plan & SLUP review to request a waiver of 58 parking spaces. The proposed site plan and SLUP included ground level retail and restaurant, office on the second floor, and residential uses on floors three, four, and five. The site plan had one level of underground parking with 37 parking spaces, creating a shortage of 58 spaces. The Planning Board moved to postpone the hearing and requested that the applicant amend the site plans to support a less intensive use and reduce the shortage of parking.

On March 22, 2023 ([Agenda](#) – [Minutes](#)), the Planning Board moved to approve the Final Site Plan and Design Review for a modified site plan that contained retail and restaurant on the first floor, office on the second and third floor, and residential uses on the fourth and fifth floor. In addition, the site plans contained two levels of underground parking that would accommodate 64 spaces with ground level parking containing 12 spaces with 11 lifts, totaling 87 spaces for the site.

On May 9, 2023 ([Agenda](#) – [Minutes](#)), the Board of Zoning Appeals moved to grant a variance of 11 off-street parking spaces. The BZA also tied the variance to the plans.

On March 26, 2025 ([Agenda](#) – [Minutes](#)), the Planning Board reviewed a new Final Site Plan & Design Review application to modify the previously approved floor plans. The newly proposed floor plans would contain commercial/retail uses on floors 1 and 2, office on floors 3 and 4, and residential on the 5th floor. Due to the change in floor plans, the required on-site parking changed considerably. Ultimately, the Planning Board moved to postpone the application seeking clarification regarding the parking strategy and neighboring ownership/access for the potential shared parking strategy that was proposed.

At this time, the applicant has submitted a Special Land Use Permit, Final Site Plan and Design Review application request to continue to seek the modification of the approved floor plans. The proposed floor plans would contain commercial/retail uses on floors 1 and 2, office on floors 3 and 4, and residential on the 5th floor. No other changes would occur to the façade or general site. Due to the change in floor plans, the required on-site parking has changed considerably. As a part of this site plan review, the applicant has submitted a petition seeking a waiver pursuant to Article 3, Section 3.04 (D)(3)(a). A detailed parking analysis is provided in the relevant section below.

1.0 Land Use and Zoning

- 1.1 Existing Land Use – The existing land use is commercial.
- 1.2 Zoning – The subject site exists within the B3 (Office-Residential) and D4 (Downtown Overlay) Zoning Districts.
- 1.3 Summary of Adjacent Land Use and Zoning – The following chart summarizes existing land use and zoning classifications of the adjacent and/or nearby properties:

	North	South	East	West
Existing Land Use	Mixed-Use	Mixed-Use	Commercial	Commercial
Existing Zoning District	B3 (Office-Residential)	B3 (Office-Residential)	B2 (General Business)	B2B (General Business)
Overlay Zoning District	D5	D5	MU5	D2

2.0 Setback, Bulk and Height Requirements

There are **no changes** proposed to the setback, bulk, or height of the building.

3.0 Screening and Landscaping

- 3.1 Dumpster Screening – There are **no changes** proposed to the dumpster conditions on site.
- 3.2 Parking Lot Screening – There are **no changes** proposed to the on-site parking facilities.
- 3.3 Mechanical Equipment Screening – There are **no changes** proposed to the mechanical equipment on site.
- 3.4 Landscaping – There are **no changes** proposed to the landscaping on site.

- 3.5 Streetscape – There are **no changes** proposed to any proposed streetscape elements on site. The Planning Department maintains that the applicant coordinates with City staff to provide the required city standard streetscape elements including street trees, tree grates, street lights, benches and bike racks

4.0 Parking, Loading and Circulation

- 4.1 Parking – The subject site contains a mix of commercial and residential uses that has shifted around a great deal during the different iterations of site plans that have been submitted to the City. The current proposal now contains commercial uses on floors 1-4 and residential units on the 5th floor, which is a departure from the previously approved plans that contained commercial/office uses on floors 1-3 and residential units on the 4th and 5th floors. Overall, the proposed mix of uses is permitted with one important caveat – office use in the D4 zoning district is limited to a maximum of 2 stories when the Planning Board permits a 5th story:

[Article 3, Section 3.04 \(C\)\(9\)](#) – “Office use is limited to one story, except:

- a. In any D3 Zone or D4 Zone, a two-story building dedicated to office use is permissible; and
- b. In a D4 Zone, two stories may be dedicated to office use when the Planning Board permits a fifth story.”

The Planning Department has discussed this provision extensively with the applicant and suggests that the Planning Board require the applicant confirm that they understand the provision above and that the building may only contain two floors of office use at any time.

Similar to previously approved plans, the off-street parking facility for the site is spread across three levels: ground level parking (21 spaces, 10 of which contain lifts that double the capacity), and two underground levels (67 spaces) for a total of 88 off-street parking spaces provided.

[Article 3, section 3.04\(D\)\(5\)](#) states that off-street parking contained in the first story shall not be permitted within 20 feet of any building facade on a frontage line or between the building facade and the frontage line. In January of 2021, the applicant obtained a dimensional variance of 20 feet for the proposed parking spaces along the Hazel Street frontage. Given that a substantial change to the site plan’s location of ground level parking has not been made, the variance still stands.

The Planning Department would like to note that [Article 4, section 4.50\(D\)](#) of the Zoning Ordinance allows developments in the B3 Zoning District to reduce their parking when office, restaurant and residential uses are within the same building:

“Office, Residential and Restaurant Parking: Where there is combined within a single building, an office use, a residential use and a commercial

restaurant, up to 40% of the parking supplied to meet the requirement for office use may also be used to meet the requirement for residential use and up to 30% of the remaining parking requirement for office use may be used to meet the requirement for the commercial restaurant.”

The Planning Department would also like to note that if the applicant wishes to count on-street parking spaces in their parking requirements, they must obtain approval from City Commission to do so.

Below is the parking breakdown for off-street parking requirements from [Article 4, Section 4.46 \(Table A\)](#) of the Zoning Ordinance for the proposed site plan amendment:

479 S. OLD WOODWARD – BIRMINGHAM TOWER			
TABLE A REQUIREMENTS			
Retail/Commercial	1 per 300 sq. ft.	20,906 sq. ft.	70 spaces
Lobby	1 per 550 sq. ft.	526 sq. ft.	1 spaces
Office	1 per 300 sq. ft.	31,695 sq. ft.	106 spaces
Restaurant	1 per 75 sq. ft.	1,047 sq. ft.	14 spaces
Residential	1 per 2 or less rooms	1 units	1 spaces
Residential	1.25 per 3 or more rooms	5 units	6 spaces
<i>TOTAL</i>	-	-	198
MIXED USE PARKING REDUCTIONS FOR B3 ZONE			
Office & Residential	40% reduction of office spaces	106 spaces	-42 spaces
Office, Restaurant & Residential	30% reduction of remaining office spaces	64 spaces	-19 spaces
TOTALS			
Total Required	-	-	137 spaces
Provided On-Site	-	-	88 spaces
On-Street*	-	-	2 spaces
Difference	-	-	-49 spaces
With On-Street*			-47 spaces
*Requires City Commission Approval			

The applicant is required to provide a total of 137 off-street parking spaces for the proposed development. The applicant is proposing 88 parking spaces on-site, therefore creating a shortage of 49 parking spaces.

In addition to the other variances received, the applicant also obtained a variance for 11 parking spaces in 2023, which brought them into conformance with the Zoning Ordinance. Due to the substantial increase in deficient spaces, the variance would no longer apply to this property as a part of this site plan.

As a matter of record, the applicant has previously pursued a Special Land Use Permit (SLUP) for the subject site in order to request that City Commission waive the required parking spaces, but the applicant adjusted their approach mid-application. Such a waiver is enabled by [Article 3, Section 3.04\(D\)\(3\)\(a\)](#) stating the following:

“For all nonresidential uses in the D4 Zone located outside of the former parking assessment district, the off-street parking requirements of Article 4 may be reduced or eliminated under the provisions of a Special Land Use Permit.”

The applicant has indicated that pursuing a waiver of required parking spaces from City Commission through a SLUP is now their preference at this time. As determined during the ordinance amendment process that enabled this waiver, the subject site is the only site that has access to this provision.

In summary, the applicant’s proposed site plan is short 49 off-street parking spaces. In order to resolve the parking shortage, the applicant has suggested that they wish to seek approval from the Planning Board and City Commission to utilize the provision in Article 3, Section 3.04(D)(3)(a) of the Zoning Ordinance to seek a waiver for the full 49-space deficit based on the new use composition of the building.

Should the Planning Board and/or City Commission determine that this is not an appropriate application of the above provision, the applicant would be required to either revise the site plans to provide 137 off-street parking spaces on site or obtain a variance of 49 off-street parking spaces from the Board of Zoning Appeals.

- 4.2 Loading – There are **no changes** proposed to the loading conditions on site. The applicant obtained a variance for two loading spaces less than 40 feet in length in 2021 thereby satisfying the loading requirements. Given that a substantial change to the site plan’s location and/or size of off-street loading facilities has not been made, the variance still stands.
- 4.3 Vehicular Circulation and Access – There are **no changes** proposed to vehicular access to the site. Vehicles will enter the facility via a single curb cut on Hazel, which will provide them access to the ground level and/or lower level parking facilities.

4.4 Pedestrian Circulation and Access – There are **no changes** proposed to pedestrian circulation or access to the site.

5.0 Lighting

There are **no changes** proposed to the lighting conditions on site.

6.0 Design Review

There are **no changes** proposed to the building façade or other design elements on site.

However, it is unclear with the change at the 4th level whether or not the approved balconies will remain as an amenity for the office user, or if they will be removed from the plan. Generally, **the Planning Board should require the applicant to confirm that no changes are being made to the exterior of the building as a part of this proposal.**

7.0 Required Attachments

	Submitted	Not Submitted	Not Required
Existing Conditions Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Detailed and Scaled Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Certified Land Survey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interior Floor Plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Landscape Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Photometric Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Colored Elevations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Material Specification Sheets	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Material Samples	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Site & Aerial Photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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.*

- **There are no proposed changes to the location, size or height of the building.** The building is being built in accordance with the Zoning Ordinance, which permits zero lot line development. Thus, there is no required open space or landscaping for this development. However, the building fronts three streets and contains glazing and/or balconies for its

users. In addition, the building contains a rooftop amenity for the residential tenants that may be used as open space for recreating.

(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 proposed changes to the location, size or height of the building.** The location, size and height of the building conforms with the standards of the Zoning Ordinance and provides neighboring buildings with access to adequate light.

(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 proposed changes to the location, size or height of the building.** The proposed development will not hinder the reasonable development of adjoining property and should increase the value thereof.

(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.*

- **There are no proposed changes to the location, size or height of the building.** The site plan contains a single curb cut for vehicular access along Hazel, which is preferred over Old Woodward and Woodward which would create more hazardous conditions. Pedestrians have access to clear and obvious entry points to the building and adequate space to circulate around the building.

(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.*

- This development will remain compatible with other uses and buildings in the neighborhood and will not be contrary to the spirit and purpose of this chapter. However, the parking deficiency on the site would be considered incompatible and may be detrimental to the surrounding neighborhood.

(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.*

- This property is not required to provide landscaped open space.

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.*

- The proposed mixture of commercial/retail, office, and residential uses is 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, in Birmingham's Downtown, this mixture of uses is compatible with adjacent uses of land and the natural environment of the area. There is a consideration to be had, though, regarding the capabilities of public services and facilities affected by the land use. To be more specific, the shortage of 49 off-street parking spaces will need to be absorbed by the City's parking system. The closest public parking facility, the Park St. Garage is roughly 709 ft. away from door to door. The second closest, the Pierce St. Garage, is roughly 933 ft. away from door to door. Thus, it can reasonably be assumed that the majority of the deficit will be serviced by Birmingham's on-street parking.

(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. Similar to the previous standard, mixed-use developments have been long established in Birmingham's Downtown and other commercial areas in the City and is expected to continue.

(4) *The use is in compliance with all other requirements of this Zoning Ordinance.*

- Although the building uses proposed are compatible with the related zoning districts, the requirements for the associated parking requirements of the prospective uses have not been met at this time.

(5) *The use will not be injurious to the surrounding neighborhood.*

- The proposed mix of uses themselves are not expected to be injurious to the surrounding Downtown neighborhood, but the associated parking deficit will likely cause the surrounding area to experience increased parking shortages at certain times of the day.

(6) *The use is in compliance with state and federal statutes.*

- To the best of our knowledge, the uses proposed are in compliance with state and federal statutes at this time.

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, the Planning Department recommends that the Planning Board recommend that the City Commission **DENY** the Special Land Use Permit, Final Site Plan & Design Review application for 479 S. Old Woodward – Birmingham Tower. The Planning Department does not believe that the criteria outlined in sections 7.27 and 7.36 have been met, and considers the parking deficiency too great to be accommodated by the existing public parking system. At this time, there are several outstanding issues related to the site plan:

1. The building may not contain more than 2 floors of office at any time per the requirements of Article 3, Section 3.04 (C)(9) of the Zoning Ordinance;
2. The applicant understands that any changes to the building façade or design must be approved by the Planning Department or Planning Board;
3. The applicant must submit clear written legal evidence in the form of deeds, leases or contracts that establish any shared parking with the Birmingham Place development at 411 S. Old Woodward;
4. The applicant would be required to either (1) revise the site plans to provide 137 off-street parking spaces, (2) seek a Special Land Use Permit and associated waiver for 49 off-street parking spaces or (3) obtain a variance of 49 off-street parking spaces from the Board of Zoning Appeals.

10.0 Sample Motion Language for Special Land Use Permit

Motion to adopt the findings of the Planning Department in the report dated May 28, 2025 related to the approval criteria outlined in Article 7, Section 7.36 of the Zoning Ordinance and recommend that the City Commission **DENY** the Special Land Use Permit application for 479 S. Old Woodward – Birmingham Tower – for the following reasons:

1. _____
2. _____
3. _____

OR

Motion to adopt the findings of the Planning Department in the report dated May 28, 2025 related to the approval criteria outlined in Article 7, Section 7.36 of the Zoning Ordinance and **APPROVE** the Special Land Use Permit application for 479 S. Old Woodward – Birmingham Tower – subject to the following conditions:

1. The building may not contain more than 2 floors of office at any time per the requirements of Article 3, Section 3.04 (C)(9) of the Zoning Ordinance;
2. The applicant understands that any changes to the building façade or design must be approved by the Planning Department or Planning Board;
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.

- 5. _____
- 6. _____

OR

Motion to **POSTPONE** the Special Land Use Permit application for 479 S. Old Woodward – Birmingham Tower – pending receipt of the following:

- 1. _____
- 2. _____
- 3. _____

11.0 Sample Motion Language for Final Site Plan & Design Review

Motion to adopt the findings of the Planning Department in the report dated May 28, 2025 related to the approval criteria outlined in Article 7, Section 7.27 of the Zoning Ordinance and recommend that the City Commission **DENY** the Final Site Plan & Design Review application for 479 S. Old Woodward – Birmingham Tower – for the following reasons:

- 1. _____
- 2. _____
- 3. _____

OR

Motion to adopt the findings of the Planning Department in the report dated May 28, 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 479 S. Old Woodward – Birmingham Tower – subject to the following conditions:

- 1. The building may not contain more than 2 floors of office at any time per the requirements of Article 3, Section 3.04 (C)(9) of the Zoning Ordinance;
- 2. The applicant understands that any changes to the building façade or design must be approved by the Planning Department or Planning Board;
- 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.
- 5. _____
- 6. _____

OR

Motion to **POSTPONE** the Final Site Plan & Design Review application for 479 S. Old Woodward – Birmingham Tower – pending receipt of the following:

1. _____
2. _____
3. _____

SPACES	AREAS
PARKING	14,951.1 S.F

TOTAL GROSS AREA -PARKING LEVEL B	18,167 S.F
--------------------------------------	------------



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2400 SOUTH HURON PARKWAY
ANN ARBOR, MI 48104
P: 734.975.2400
WWW.BOWERSARCH.COM

CONSULTANT + NAME

PROJECT + INFORMATION

BIRMINGHAM TOWERS
MIXED USE
469-479 SOUTH OLD WOODWARD AVE
BIRMINGHAM, MICHIGAN

PROJECT + NUMBER

22-222

ISSUE + DATE

20 JUNE 2023
21 JUNE 2023
22 JUNE 2023
20 JAN 2025

SHEET + TITLE

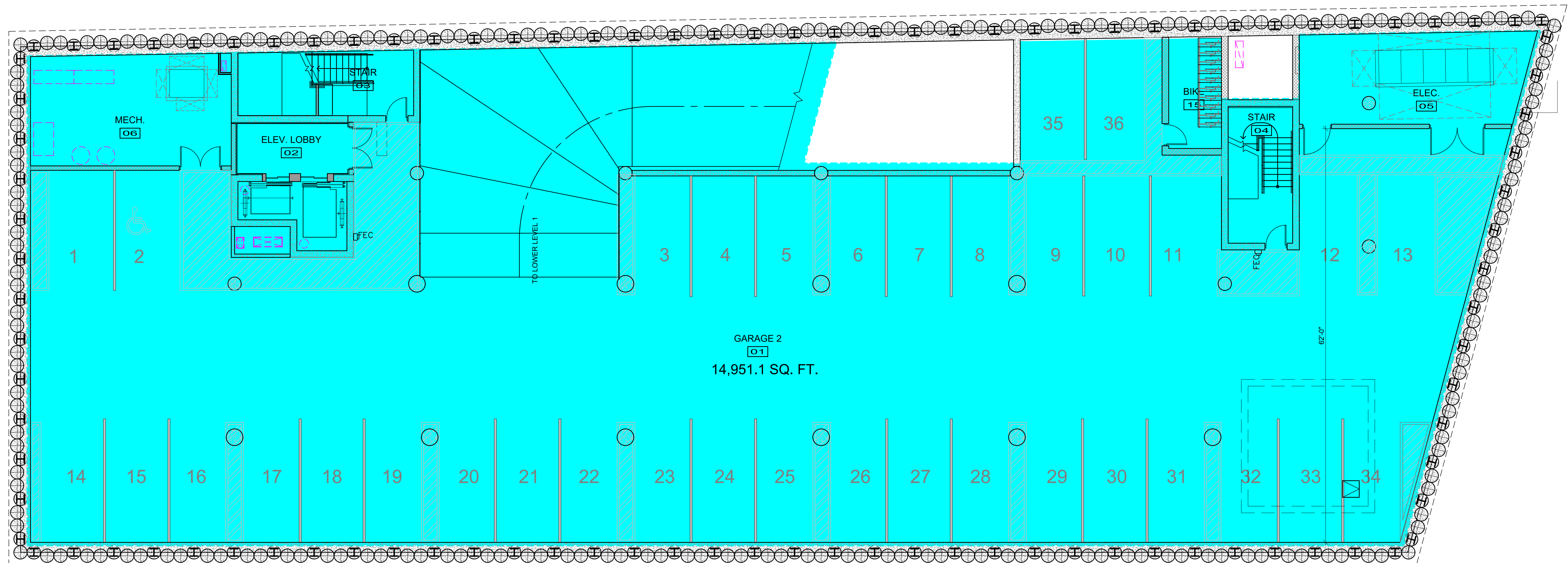
LOWER LEVEL B
FLOOR PLAN
AREA SF

22222AG2xx.DWG

SHEET + NUMBER

G-200A

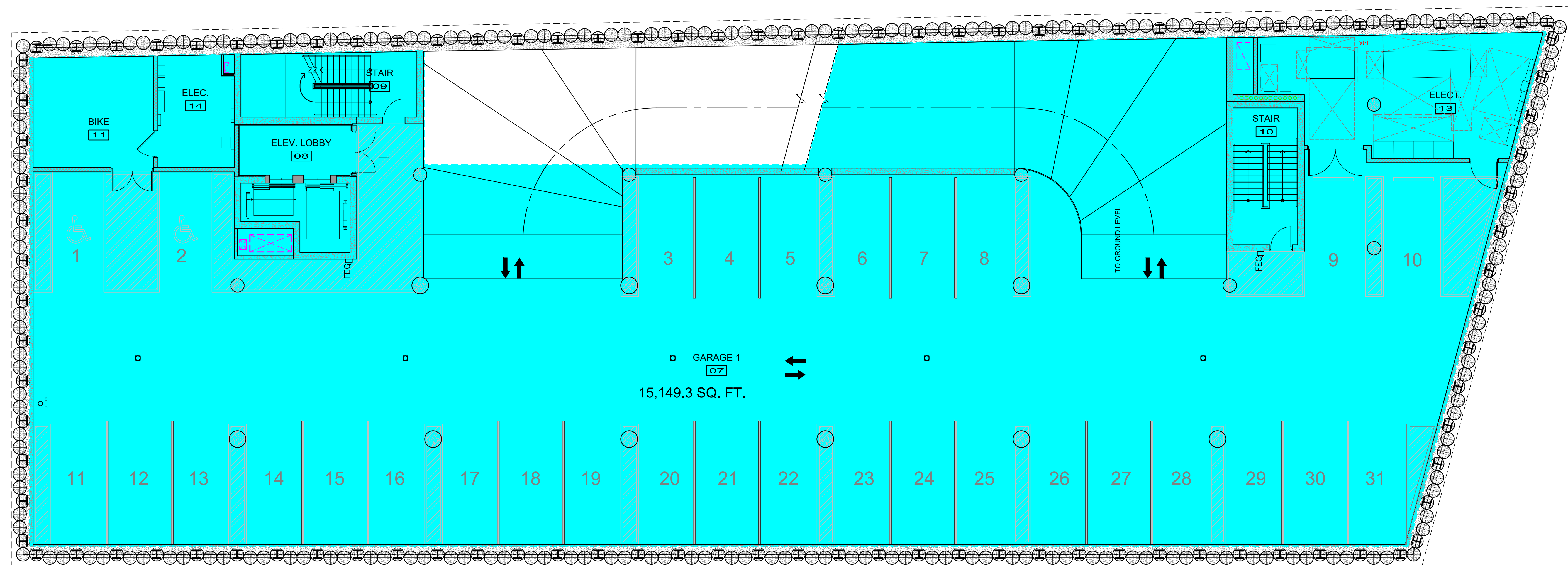
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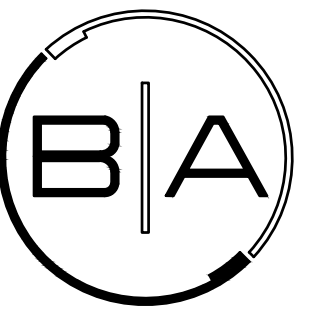
 LOWER LEVEL B FLOOR PLAN
NTS

SPACES	AREAS
PARKING	15,149.3 S.F

TOTAL GROSS AREA -PARKING LEVEL 1A	18,167 S.F
---------------------------------------	------------




LOWER LEVEL 1A FLOOR PLAN
 NTS



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 2400 SOUTH HURON PARKWAY
 ANN ARBOR, MI 48104
 P: 734.975.2400
 WWW.BOWERSARCH.COM

CONSULTANT + NAME

PROJECT + INFORMATION

BIRMINGHAM TOWERS
MIXED USE
 469-479 SOUTH OLD WOODWARD AVE
 BIRMINGHAM, MICHIGAN

PROJECT + NUMBER

22-222

ISSUE + DATE

20 JUNE 2023
 21 JUNE 2023
 22 JUNE 2023
 20 JAN 2025

SHEET + TITLE
 LOWER LEVEL 1A
 FLOOR PLAN
 AREA SF

2222G2xx.DWG

SHEET + NUMBER

G-200B

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 2700 SOUTH HOLLAND PARKWAY
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 WWW.BOWERSBACH.COM

CONSULTANT + NAME

PROJECT + INFORMATION
BIRMINGHAM TOWERS
MIXED USE
 480-775 SOUTH OLD WOODWARD AVE
 BIRMINGHAM, MICHIGAN

PROJECT + NUMBER

22-222

ISSUE + DATE

20 JUNE 2023
 21 JUNE 2023
 22 JUNE 2023

SHEET + TITLE

FIRST LEVEL
 FLOOR PLAN
 AREA SF

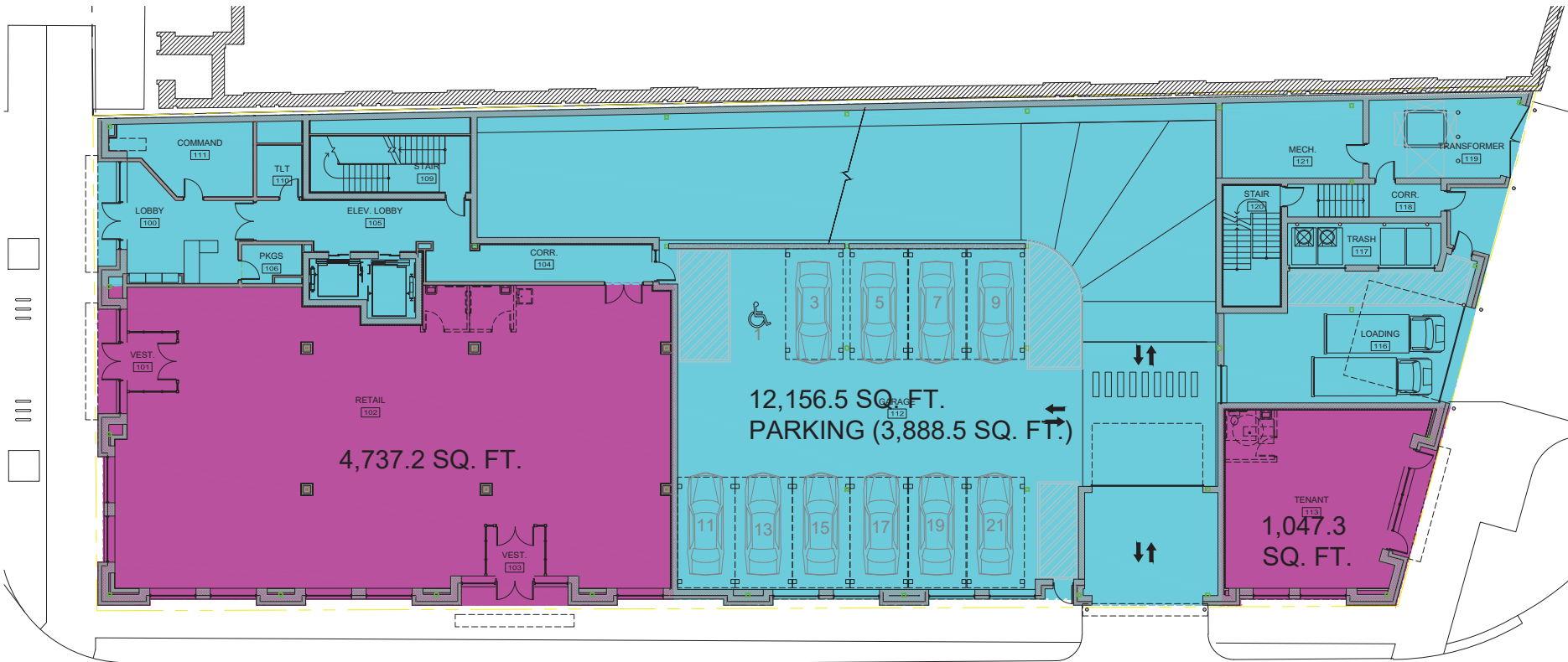
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SHEET + NUMBER

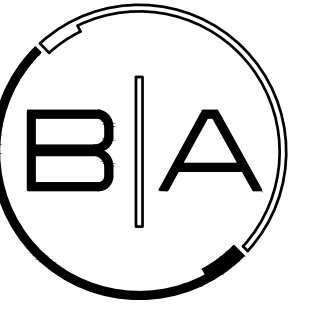
G-201

SPACES	AREAS
COMMON AREA	12,156.5 S.F
RETAIL	5,784.5 S.F

TOTAL GROSS AREA-1ST FLR.	17,941 S.F
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 **FIRST (GROUND)LEVEL PLAN**
 NTS



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 P: 734.975.2400
 WWW.BOWERSARCH.COM

CONSULTANT + NAME

PROJECT + INFORMATION

BIRMINGHAM TOWERS
MIXED USE
 469-479 SOUTH OLD WOODWARD AVE
 BIRMINGHAM, MICHIGAN

PROJECT + NUMBER

22-222

ISSUE + DATE

21 MAR 2025

SHEET + TITLE

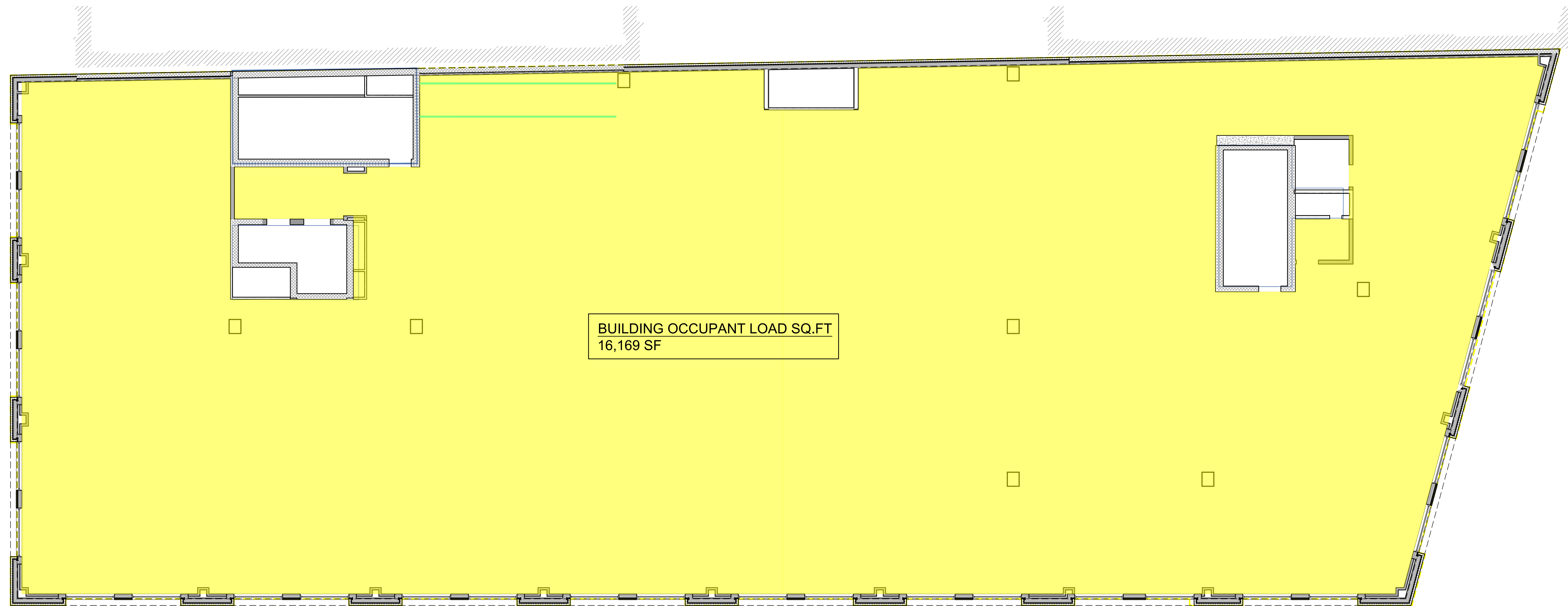
SECOND LEVEL
 OCCUPANT LOAD
 AREA SF

22222G2xx.DWG

SHEET + NUMBER

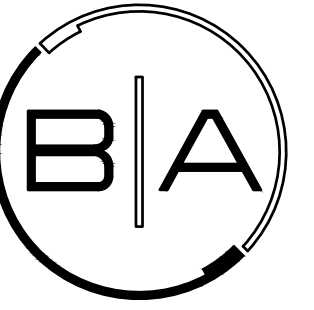
OCC-202

BUILDING OCCUPANT LOAD SQ.FT-2ND FLR.	16,169 S.F B-USE
---	---------------------



BUILDING OCCUPANT LOAD SQ.FT
 16,169 SF

 **SECOND LEVEL FLOOR PLAN**
 NTS



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P. 734.979.2400
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BUILDING OCCUPANT LOAD SQ.FT-3RD FLR.	16,169 S.F B-USE
---	---------------------

CONSULTANT + NAME

PROJECT + INFORMATION
BIRMINGHAM TOWERS
MIXED USE
469-479 SOUTH OLD WOODWARD AVE
BIRMINGHAM, MICHIGAN

PROJECT + NUMBER

22-222

ISSUE + DATE

21 MAR 2025

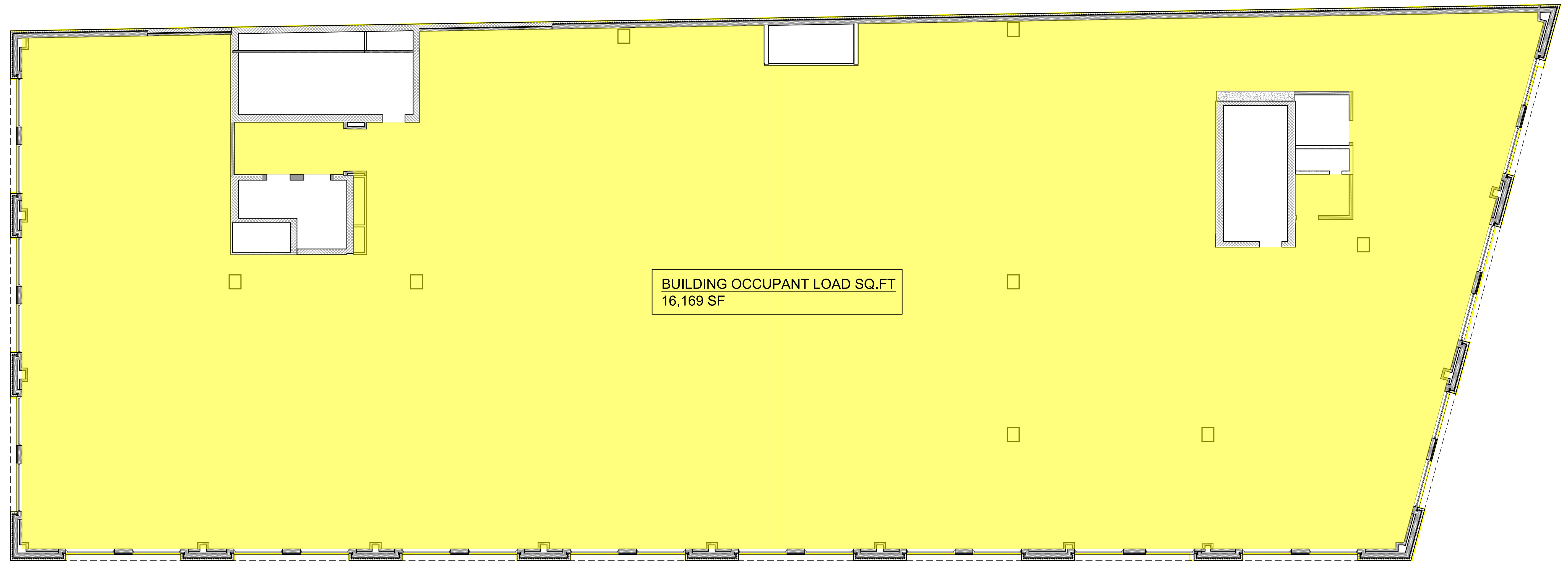
SHEET + TITLE

THIRD LEVEL
OCCUPANT LOAD
AREA SF

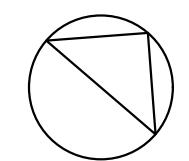
22222G2xx.DWG

SHEET + NUMBER

OCC-203



BUILDING OCCUPANT LOAD SQ.FT
16,169 SF



THIRD LEVEL FLOOR PLAN

NTS

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BUILDING OCCUPANT LOAD SQ.FT-4TH FLR.	15,526 S.F B-USE
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WWW.BOWERSARCH.COM

CONSULTANT + NAME

PROJECT + INFORMATION

**BIRMINGHAM TOWERS
MIXED USE**
469-479 SOUTH OLD WOODWARD AVE
BIRMINGHAM, MICHIGAN

PROJECT + NUMBER

22-222

ISSUE + DATE

21 MAR 2025

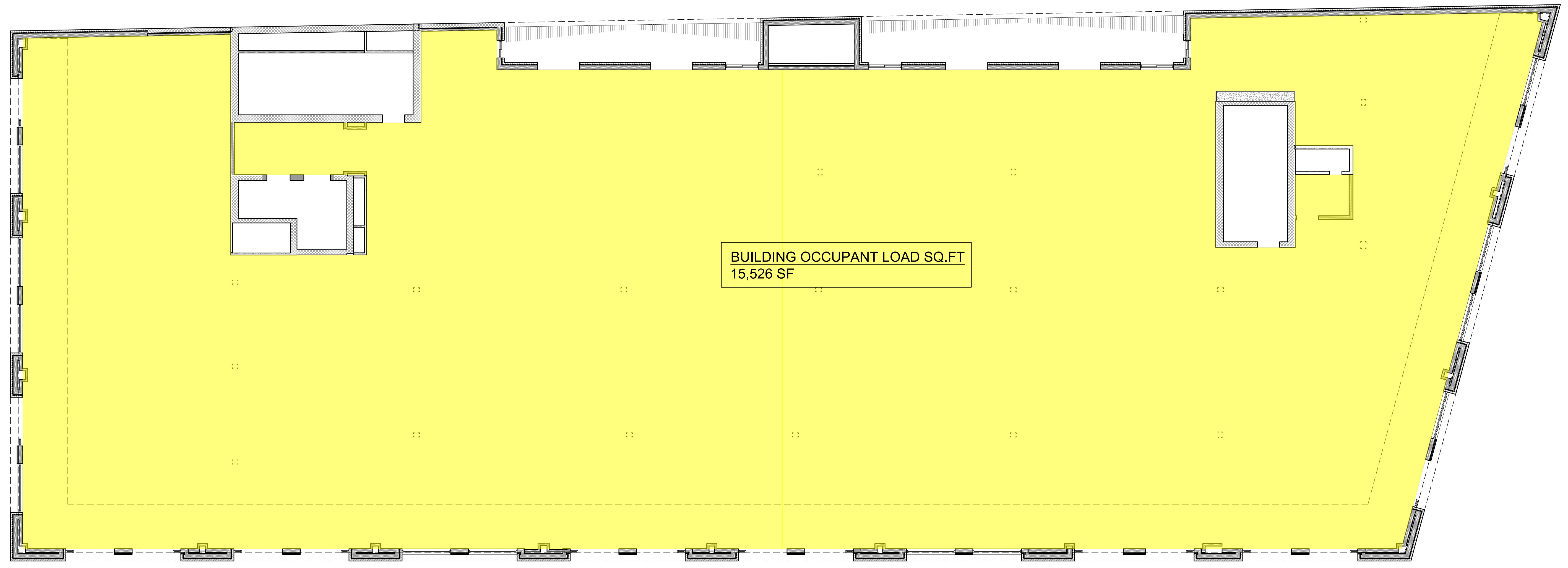
SHEET + TITLE

FOURTH LEVEL
OCCUPANT LOAD
AREA SF

22222G2xx.DWG

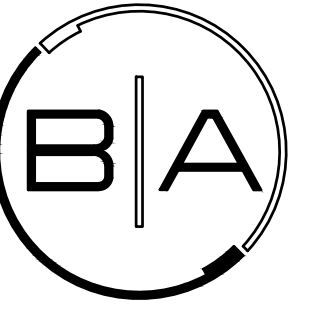
SHEET + NUMBER

OCC-204



BUILDING OCCUPANT LOAD SQ.FT
15,526 SF

 **FOURTH LEVEL FLOOR PLAN**
NTS



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CONSULTANT + NAME

PROJECT + INFORMATION

BIRMINGHAM TOWERS
MIXED USE
 469-479 SOUTH OLD WOODWARD AVE
 BIRMINGHAM, MICHIGAN

PROJECT + NUMBER

22-222

ISSUE + DATE

10 MAY 2023	CON. REV.
19 JULY 2023	F. PERMIT
8 SEPT 2023	F. PER. REV.
22 SEPT 2023	BANK
02 NOV 2023	PERMIT
20 FEB 2024	B. PER. REV.
16 JULY 2024	BULL. 3
31 OCT 2024	DIMS COL
17 FEB 2025	LEV 5 REV

SHEET + TITLE

FIFTH LEVEL
 FLOOR PLAN

22222A1xx.DWG

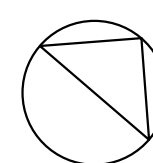
SHEET + NUMBER

A-105

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TOTAL AREA-5TH FLR.	14,646 S.F
---------------------	------------



 FIFTH LEVEL SCHEMATIC FLOOR PLAN
 SCALE: 1/8" = 1'-0"



J. Patrick Howe
(248) 835-2068
jphowe@jphowe.com

BIRMINGHAM THEATER BUILDING
231 S. Old Woodward Ave., Suite 217
Birmingham, Michigan 48009

May 21, 2025

VIA EMAIL ONLY

Birmingham Planning Board & City Commission
c/o Mr. Nicholas Dupuis
Planning Director
City of Birmingham
151 Martin St.
Birmingham, Michigan 48009

RE: Application for Final Site Plan Design Review to Modify Use of Floors 2 and 4 of Subject Building
Application for Special Land Use Permit to Reduce Parking Requirements for Non-Residential Uses Pursuant to Section 3.04(D)(3)(a) of the Birmingham Zoning Ordinance
Applicant: Birmingham Tower Partners LLC
Address: 479 S. Old Woodward Ave., Birmingham, Michigan 48009

Dear Members of the Birmingham Planning Board & City Commission,

This firm represents Birmingham Tower Partners LLC, which is in the process of constructing a five-story mixed-use building at 479 S. Old Woodward Ave. This project has been before both the Planning Board and City Commission a number of times for various applications and requests. We are hopeful that the request before you to modify the use of floors 2 and 4, and to reduce the parking requirements for non-residential uses, will be the final approvals required for the project to move forward without further delay. At the outset of this request, it is critically important to express three points:

1. There are no changes proposed to the exterior features of the building, all of which have been approved by the City;
2. There are no changes to the on-site parking spaces provided for the building, which will remain at 88 parking spaces (plus 2 on-street parking spaces if approved by the City Commission); and
3. The Applicant is not proposing a shared parking arrangement with any parties.

With these three points in mind, we ask that both the Planning Board and City Commission limit its focus to the following specific requests:

1. Change floor 2 from Office to Retail/Commercial use;
2. Change floor 4 from Residential to Office use; and

3. Reduce parking requirements for non-residential uses from 130 parking spaces to 81 parking spaces (plus 2 on-street parking spaces if approved by the City Commission).

The subject building is currently approved for the following uses:

Fifth Floor	Residential
Fourth Floor	Residential
Third Floor	Office
Second Floor	Office
First Floor	Retail

The Applicant is now requesting the following use modifications for Floors 2 and 4:

Fifth Floor	Residential [NO CHANGE]
Fourth Floor	Office
Third Floor	Office [NO CHANGE]
Second Floor	Retail/Commercial
First Floor	Retail [NO CHANGE]

It is the Applicant's intention at this time for Floors 3 and 4 to be occupied by an office tenant, and Floor 2 to be occupied by a retail and/or commercial tenant, as permitted under the Zoning Ordinance. So why are these use modifications required? We submit, and will elaborate in more detail at the public hearings on this matter, that these modifications are required to meet current market demands, and ensure the long term vitality of the building. Since this building was originally conceived in 2022, nearly 200 multifamily dwelling units have been built or approved in the City of Birmingham. Many of these units are highly amenitized, and offer on-site resident services that just can't be provided at a building that sits on less than ½ acre of land. At the same time, the City of Birmingham is ever evolving into a highly sought after destination retail environment, attracting national and international tenants, and customers from throughout the metropolitan area and greater Midwest region. This surge of retail activity is evident from various recent and forthcoming openings of specialty retailers in downtown Birmingham. As opposed to fighting this challenging dynamic of increased multifamily housing supply, and limited commercial space for retailers looking to plant a flag in Birmingham, we are seeking to slightly modify the uses in the building to welcome these residential and commercial trends. This is the right move for the building, and will be the right move for downtown Birmingham and its residents.

The impact that these use modifications will have on the building and surrounding area are very minor. There are absolutely no changes to the exterior features of the building, all of which have been approved by the City. Further, there will be no reduction in the on-site parking spaces provided for the building, which will remain at 88 parking spaces (plus 2 on-street parking spaces if approved by the City Commission). The only impact that these use modifications will have on the project is the Applicant's ability to strictly comply with the City's on-site parking requirements. The current approved mix of uses for the building requires 99 parking spaces. The Board of Zoning Appeals previously granted a parking variance of 11 spaces, which authorized the current approved

mix of uses to move forward with 88 on-site parking spaces. The proposed modified mix of uses before requires 137 parking spaces, leaving a deficiency of 49 parking spaces (which will be reduced to 47 parking spaces if 2 on-street parking spaces are approved by the City Commission). In 2023, the City Commission amended the Zoning Ordinance to authorize a reduction in parking requirements for non-residential uses in the D4 Zone. Section 3.04(D)(3)(a) of the Zoning Ordinance provides that:

For all non-residential uses in the D4 Zone located outside the former parking assessment district, the off-street parking requirements of Article 4 may be reduced or eliminated under the provisions of a Special Land Use Permit.

In addition to the Applicant’s request for a modified site plan to change the uses of Floors 2 and 4, we are requesting the City Commission to reduce the parking requirements for non-residential uses within the building from 130 non-residential parking spaces to 81 non-residential parking spaces. This will result in 7 parking spaces being dedicated to residential users, and the remaining 81 parking spaces being shared by all other non-residential users of the building. We submit, and will elaborate in more detail at the public hearings on this matter, that: (i) the proposed modifications to the site plan meet the requirements set forth in Section 7.27(D) of the Zoning Ordinance, and (ii) a reduction in parking requirements for non-residential users under Section 3.04(D)(3)(a) of the Zoning Ordinance is appropriate for the following reasons:

- 1. The prior businesses on this site had a similar deficiency of on-site parking, and operated for many years without negatively impacting the health, safety and welfare of the City and its residents.**

The subject site was formerly occupied by a bank branch with drive through and a Chinese restaurant. The bank branch was 4,325 sf and the restaurant was 3,038 sf. The site provided 9 off-street parking spaces, which is illustrated on the site plan attached as **Exhibit A**. Applying the City’s current on-site parking requirements, the property previously had a parking deficiency of 46 on-site parking spaces, which is calculated as follows:

Bank Branch	
4,325 sf (1 space per 300 sf)	14.5 parking spaces required 9 parking spaces provided
Restaurant	
3,038 sf (1 space per 75 sf)	40.5 parking spaces required 0 parking spaces provided
OVERALL	55 parking spaces required 9 parking spaces provided
DEFICIENCY	46 parking space deficiency

The parking deficiency that previously existed is nearly identical to the parking deficiency presented by the proposed modified uses for the building. The prior bank and restaurant operated with this parking deficiency for many years, and for this reason, a reduction in the parking requirements for non-residential uses in the proposed building is appropriate.

2. The parking demands of a retail/commercial user on 2 floors and an office user on 2 floors, rarely overlap.

In today's ever changing office environment, it is rare for an office to be completely full at any given time. The Zoning Ordinance parking requirements have not been adjusted to accommodate this new reality. Furthermore, the hours that the retail and/or commercial business that would occupy the 1st and 2nd floors will have high parking demands during the evenings and on weekends, mostly outside of normal office hours. Accordingly, the parking needs of the office users and retail/commercial users will not significantly overlap, and ample parking will be available on-site for these two uses to co-exist. For this reason, a reduction in the parking requirements for non-residential uses in the proposed building is appropriate.

3. The building is located in the immediate vicinity of the former parking assessment district, is on the only D4 zoned parcel located outside of the former parking assessment district, and the parking requirements for the building should be reduced.

Section 3.04(D)(1) of the Zoning Ordinance provides that "all nonresidential uses located within the parking assessment district, parking on the site **shall not be required**, provided such site is in full compliance with the requirements of the parking assessment district." The subject building is located in the immediate vicinity of the former parking assessment district (see **Exhibit B**). While it has been established that there is no opportunity to reopen the former parking assessment district and add the subject building to this district, we submit that some flexibility should be afforded to the subject building given its proximity to various nearby public parking decks. Specifically, the Peabody Parking Garage is a 1 minute, 58 second walk from the subject building, and the Pierce Parking Garage is a 2 minute 43 second walk from the subject building (see **Exhibit C**). These two public parking garages will be utilized by workers, tenants and customers of the subject building, and for this reason, a reduction in the parking requirements for non-residential uses in the proposed building is appropriate.

4. There is ample off-street parking available in the nearby public parking decks to supplement the on-site parking available at the building.

To the extent additional parking spaces are required to meet the needs of workers, tenants and customers of the subject building, there is ample available parking available in the two closest public parking garages. Specifically, the Peabody Garage, which is

a 1 minute, 58 second walk from the building, has over 50 parking spaces available at its peak times during the day, and over 100 parking spaces available beginning at 5:00 PM each evening and on weekends (see **Exhibit D**). The Pierce Garage, which is a 2 minute 43 second walk from the subject building, has over 200 parking spaces available at its peak times during the day, and over 300 parking spaces available beginning at 5:00 PM each evening and on weekends (see **Exhibit E**). For these reasons, a reduction in the parking requirements for non-residential uses in the proposed building is appropriate.

5. The Special Land Use Permit requirements set forth in Section 7.36(A) of the Zoning Ordinance are met.

We submit that the proposal to reduce the parking requirements for non-residential uses under Section 3.04(D)(3)(a) of the Zoning Ordinance satisfies the approval criteria for a Special Land Use Permit set forth in Section 7.36(A) of the Zoning Ordinance. Specifically:

- (1) The parking plan for the building is consistent with and will promote the intent and purpose of this Zoning Ordinance, and there is ample on-site and nearby off-site public parking to serve the needs of the workers, tenants and customers of the subject building.
- (2) The parking plan for the building will be compatible with adjacent uses of land, the natural environment, and the capabilities of public services and facilities affected by the parking of workers, tenants and customers of the subject building.
- (3) The parking plan is consistent with the public health, safety and welfare of the city, and the on-site and nearby public off-site parking will ensure that the parking does not negatively impact the public health, safety and welfare of the city.
- (4) Given that the on-site and nearby off-site public parking provides sufficient parking for the subject building, the project is in compliance with all other requirements of the Zoning Ordinance.
- (5) Given the availability of on-site and nearby off-site public parking, the parking of vehicles for the workers, tenants and customers of the subject building will not be injurious to the surrounding neighborhood.
- (6) The parking plan, to the extent applicable, is in compliance with state and federal statutes.

We acknowledge the significant and extensive work that the City has gone through to help facilitate the development of this important piece of property within the S. Old Woodward Ave.

district. We sincerely appreciate those efforts, and hope that we can work together to slightly modify the uses of this building and implement the Applicant's parking plan. Please feel free to contact me if you have any questions or concerns regarding this matter, and the information provided herein. We look forward to appearing with our client at the upcoming public hearings.

Very truly yours,

JPHOWE, PLLC

A handwritten signature in black ink, consisting of a stylized 'J' followed by a cursive 'P' and 'H'.

J. Patrick Howe

cc: Doraid Markus (via email)

Birmingham Tower Partners, LLC
479 S. Old Woodward Ave.
Birmingham, Michigan 48009

EXHIBIT B



479 S. Old Woodward Ave.

Birmingham Tower Partners, LLC
479 S. Old Woodward Ave.
Birmingham, Michigan 48009

EXHIBIT C

Walking Distance to Peabody Parking Garage from Building



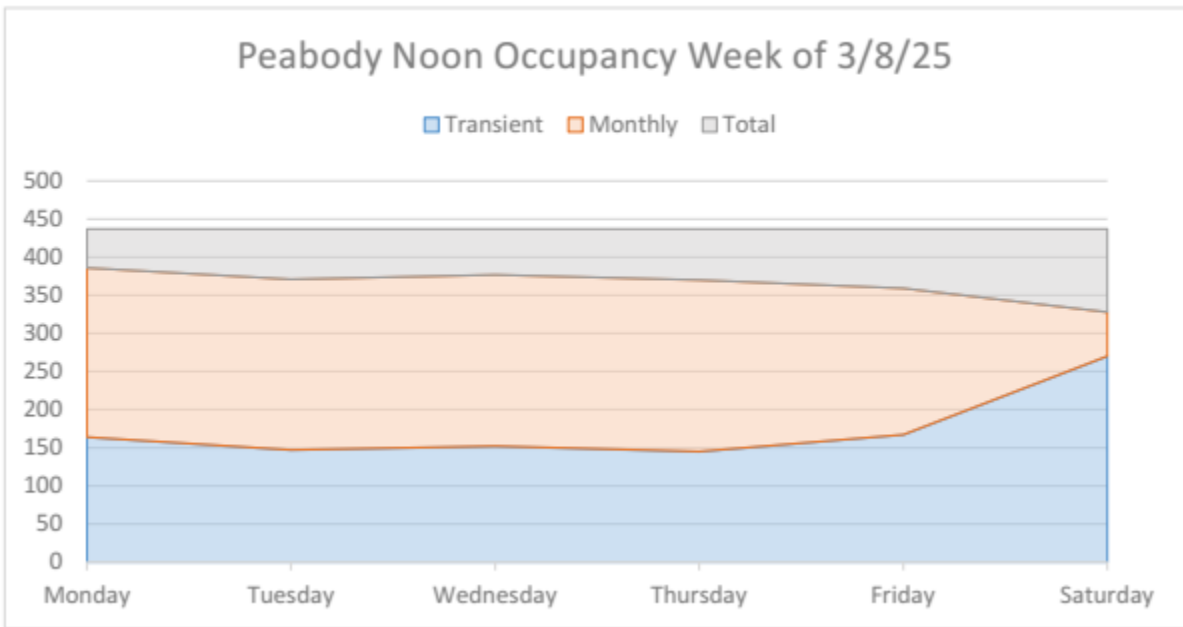
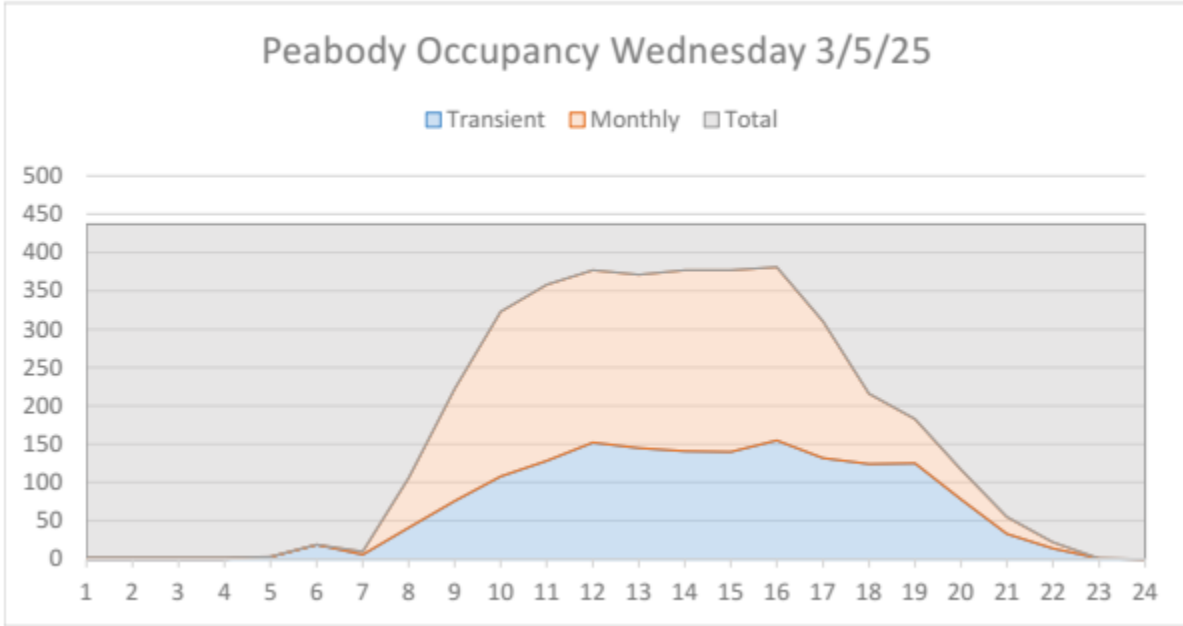
Walking Distance to Pierce Parking Garage from Building



EXHIBIT D

PEABODY PARKING GARAGE

Available Parking Spaces: 437

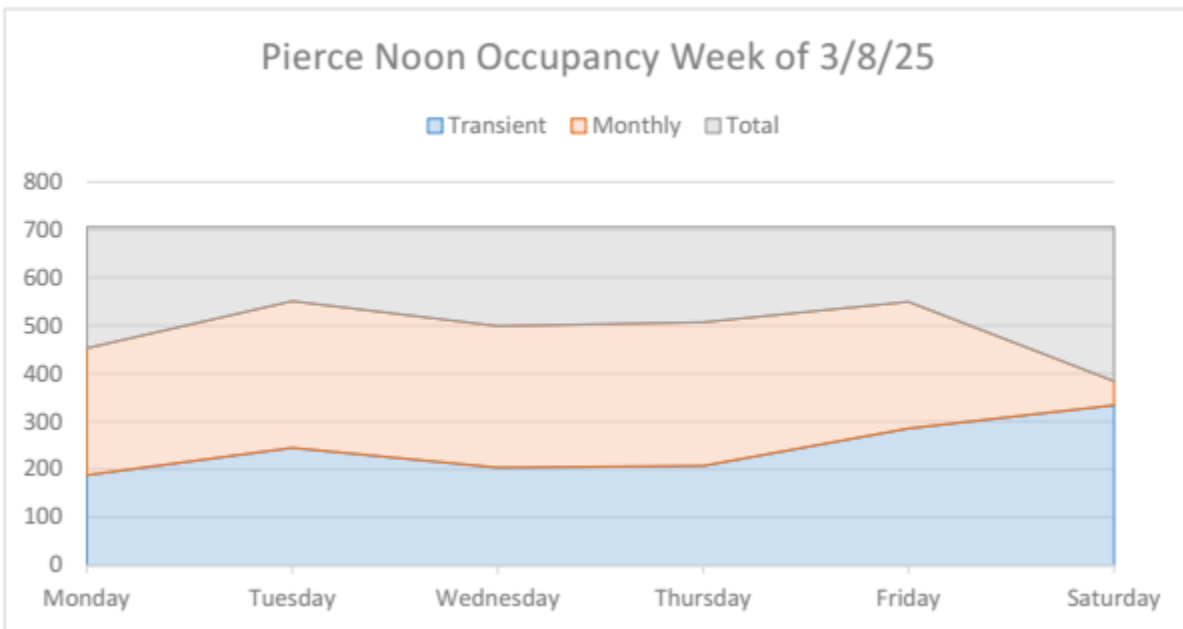
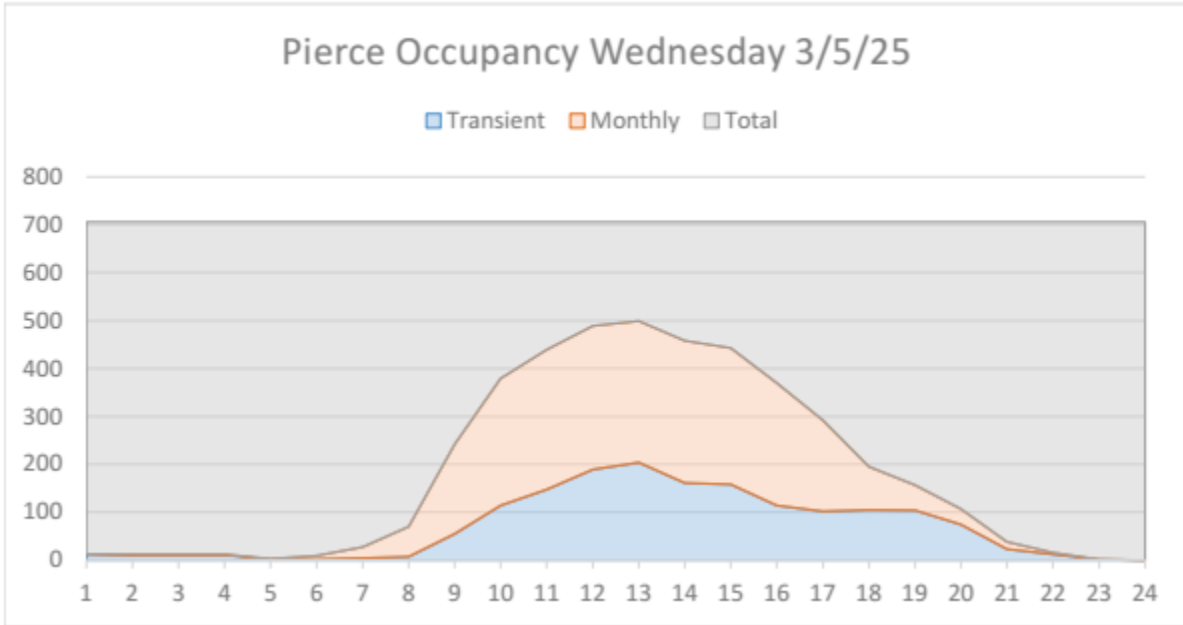


Source: Aaron Ford, Birmingham Parking Systems Manager

EXHIBIT E

PIERCE PARKING GARAGE

Available Parking Spaces: 706



Source: Aaron Ford, Birmingham Parking Systems Manager



MEMORANDUM

Planning Department

DATE: May 28, 2025

TO: Planning Board Members

FROM: Nick Dupuis, Planning Director

SUBJECT: 298 S. Old Woodward – Daxton Hotel – Special Land Use Permit Amendment, Final Site Plan & Design Review

The subject site, 298 S. Old Woodward, is located in Downtown Birmingham in the B4 (Business-Residential) and D4 (Downtown Overlay) zoning districts. The site has been operating as a hotel since it was completed in 2021. The Daxton Hotel is currently operating under a Special Land Use Permit due to the sale of alcoholic beverages for on premise consumption. The site is directly adjacent to “The Plaza”, a commercial building to the north, and is across Brown Street from the new Restoration Hardware development that is nearing completion (targeting October 2025).

At this time, the applicant has submitted a Special Land Use Permit Amendment, Final Site Plan and Design Review application request to modify the existing required off-street loading facility to make room for new in-house laundry facilities and a new trash compactor. The change would effectively eliminate the off-street loading space in terms of truck/vehicle access, and would divert loading functions to the lower levels.

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.

1.0 Land Use and Zoning

- 1.1 Existing Land Use – The existing land use is commercial.
- 1.2 Zoning – The subject site exists within the B4 (Business-Residential) and D4 (Downtown Overlay) Zoning Districts.
- 1.3 Summary of Adjacent Land Use and Zoning – The following chart summarizes existing land use and zoning classifications of the adjacent and/or nearby properties:

	North	South	East	West
Existing Land Use	Commercial	Commercial	Commercial	Commercial
Existing Zoning District	B4 (Business-Residential)	B2 (General Business)	B4 (Business-Residential)	B4 (Business-Residential)
Overlay Zoning District	D4	D4	D4	D4

2.0 Setback, Bulk and Height Requirements

There are **no changes** proposed to the setback, bulk, or height of the building.

3.0 Screening and Landscaping

- 3.1 Dumpster Screening – When the project was originally approved, the building contained waste receptacles in a “trash room” located adjacent to the off-street loading facility. At this time, the applicant is proposing to modify the existing trash room and a portion of the loading facility to provide an on-site laundry facility. This change would formalize the relocation of waste receptacles from the approved trash room to the loading area. This appears to have been a condition that has existed for some time now, especially since Brown Street has been affected by the construction of two new buildings to the south. Although the trash is proposed to be relocated, it would still be screened by the building.
- 3.2 Parking Lot Screening – There are **no changes** proposed to the on-site parking facilities.
- 3.3 Mechanical Equipment Screening – There are **no changes** proposed to the mechanical equipment on site.
- 3.4 Landscaping – There are **no changes** proposed to the landscaping on site.
- 3.5 Streetscape – There are **no changes** proposed to any proposed streetscape elements on site.

4.0 Parking, Loading and Circulation

- 4.1 Parking – There are **no changes** proposed to the parking requirements on site.
- 4.2 Loading – As noted above, the proposed changes to the previously approved dumpster area within the building has necessitated that the waste receptacles to be transitioned to a compactor and moved into the existing loading facility. This off-street loading facility is required based on the requirements of Article 4, Section 4.24 (C) of the Zoning Ordinance. With the addition of the trash compactor (18 ft. x 8 ft.), the length of the loading facility will be reduced well short of the required 40 ft. length and would eliminate truck access to the space. Thus, **the applicant must submit revised site plans demonstrating an off-street loading facility that meets the minimum requirements of the Zoning Ordinance or obtain a variance from the Board of Zoning Appeals.**
- 4.3 Vehicular Circulation and Access – There are **no changes** proposed to vehicular access to the site. Vehicles will enter the facility via a single curb cut on Brown, which will provide them access to the ground level and/or lower level parking facilities. Vehicles exit the site through a garage door and curb cut on the north side of the property along S. Old Woodward.
- 4.4 Pedestrian Circulation and Access – There are **no changes** proposed to pedestrian circulation or access to the site.

5.0 Lighting

There are **no changes** proposed to the lighting conditions on site.

6.0 Design Review

There are **no changes** proposed to the building façade or other design elements on site.

7.0 Required Attachments

	Submitted	Not Submitted	Not Required
Existing Conditions Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Detailed and Scaled Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Certified Land Survey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Interior Floor Plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Landscape Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Photometric Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Colored Elevations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Material Specification Sheets	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Material Samples	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Site & Aerial Photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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.*
 - **There are no proposed changes to the location, size or height of the building.** The building is being built in accordance with the Zoning Ordinance, which permits zero lot line development. Thus, there is no required open space or landscaping for this development. The building fronts two streets and is currently open on the rear (west). The buildings placement permits for light, air and access to persons occupying the structure.
- (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 proposed changes to the location, size or height of the building.** The location, size and height of the building conforms with the standards of the Zoning Ordinance and provides neighboring buildings with access to adequate light.
- (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 proposed changes to the location, size or height of the building.** The proposed development will not hinder the reasonable development of adjoining property and should increase the value thereof.
- (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.*
 - **There are no proposed changes to the location, size or height of the building.** The site plan contains a single curb cut for vehicular access along Hazel, which is preferred over Old Woodward and Woodward which would create more hazardous conditions. Pedestrians have access to clear and obvious entry points to the building and adequate space to circulate around the building.
- (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.*
 - This development will remain compatible with other uses and buildings in the neighborhood and will not be contrary to the spirit and purpose of this

chapter. However, the shifting of loading activities from the building to the lower level, or in some cases neighboring streets of Brown and/or S. Old Woodward, could be considered incompatible and may be detrimental to the surrounding neighborhood.

(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.*

- This property is not required to provide landscaped open space. However, the Daxton Hotel contains a green roof in the upper alcove of the building that provides open space for inhabitants of the east side of the building.

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.*

- **There are no proposed changes to the use of the building.** The proposed mixture of commercial/retail and residential uses remains 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.*

- **There are no proposed changes to the use of the building.** Generally, in Birmingham's Downtown, this mixture of uses is compatible with adjacent uses of land and the natural environment of the area. There is a consideration to be had, though, regarding the effective removal off the loading facility and its relationship to the capabilities of public services and facilities affected by the land use. Because the Daxton will still require some level of delivery and service based activities, these functions are expected to continue to happen on Brown and S. Old Woodward in some fashion, which will affect those thoroughfares during such activity. However, loading and delivery services are commonplace in a Downtown setting and the S. Old Woodward thoroughfare was designed to accommodate trucks in the center lane when necessary.

(3) The use is consistent with the public health, safety and welfare of the city.

- **There are no proposed changes to the use of the building.** This use is consistent with the public health, safety and welfare of the city. Similar to the previous standard, mixed-use developments have been long established in Birmingham's Downtown and other commercial areas in the City and is expected to continue.

(4) *The use is in compliance with all other requirements of this Zoning Ordinance.*

- **There are no proposed changes to the use of the building.** Although the building uses proposed are compatible with the related zoning districts, the requirements for the associated loading requirements of the existing uses have not been met at this time.

(5) *The use will not be injurious to the surrounding neighborhood.*

- **There are no proposed changes to the use of the building.** The existing uses themselves are not expected to be injurious to the surrounding Downtown neighborhood, but the removal of the associated off-street loading facility may cause issues during deliveries.

(6) *The use is in compliance with state and federal statutes.*

- **There are no proposed changes to the use of the building.** To the best of our knowledge, the existing uses are in compliance with state and federal statutes at this time.

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, the Planning Department recommends that the Planning Board recommend that the City Commission **APPROVE** the Special Land Use Permit, Final Site Plan & Design Review application for 298 S. Old Woodward – Daxton Hotel – with the following conditions:

1. The applicant must submit revised site plans demonstrating an off-street loading facility that meets the minimum requirements of the Zoning Ordinance or obtain a variance from the Board of Zoning Appeals; and
2. The applicant must comply with the requests of all City Departments.

10.0 Sample Motion Language for Special Land Use Permit

Motion to adopt the findings of the Planning Department in the report dated May 28, 2025 related to the approval criteria outlined in Article 7, Section 7.36 of the Zoning Ordinance and recommend that the City Commission **APPROVE** the Special Land Use Permit application for 298 S. Old Woodward – Daxton Hotel – with the following conditions:

1. The applicant must submit revised site plans demonstrating an off-street loading facility that meets the minimum requirements of the Zoning Ordinance or obtain a variance from the Board of Zoning Appeals; and
2. The applicant must comply with the requests of all City Departments.

OR

Motion to **POSTPONE** the Special Land Use Permit application for 479 S. Old Woodward – Birmingham Tower – pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to adopt the findings of the Planning Department in the report dated May 28, 2025 related to the approval criteria outlined in Article 7, Section 7.36 of the Zoning Ordinance and recommend that the City Commission **DENY** the Special Land Use Permit application for 298 S. Old Woodward – Daxton Hotel – for the following reasons:

1. _____
2. _____
3. _____

11.0 Sample Motion Language for Final Site Plan & Design Review

Motion to adopt the findings of the Planning Department in the report dated May 28, 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 298 S. Old Woodward – Daxton Hotel – with the following conditions:

1. The applicant must submit revised site plans demonstrating an off-street loading facility that meets the minimum requirements of the Zoning Ordinance or obtain a variance from the Board of Zoning Appeals; and
2. The applicant must comply with the requests of all City Departments.

OR

Motion to **POSTPONE** the Final Site Plan & Design Review application for 298 S. Old Woodward – Daxton Hotel – pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to adopt the findings of the Planning Department in the report dated May 28, 2025 related to the approval criteria outlined in Article 7, Section 7.27 of the Zoning Ordinance and recommend that the City Commission **DENY** the Final Site Plan & Design Review application for 298 S. Old Woodward – Daxton Hotel – for the following reasons:

1. _____

2. _____
3. _____

PROJECT DATA:
 ZONING: B4 - BUSINESS-RESIDENTIAL
 OVERLAY ZONING DISTRICT: D-4
 VIA ACTIVATION OVERLAY DISTRICT: CENTRAL BUSINESS DISTRICT
 USE GROUP(S): R-1 / A-2 / A-3 / B / S-1 / S-2
 CONSTRUCTION TYPE: IB: SPRINKLED
ALL SITE AND BUILDING CONDITIONS ARE EXISTING

SITE DATA
 TOTAL SITE AREA: 26,908 SF = 0.618 ACRES
 BUILDING FOOTPRINT: 24,934 SF @ GRADE

EXISTING BUILDING GROSS FLOOR AREA:
 +/- 157,527 GROSS S.F.
 EXISTING FIFTH FLOOR: +/- 14,936 GROSS S.F.
 EXISTING FOURTH FLOOR: +/- 19,469 GROSS S.F.
 EXISTING THIRD FLOOR: +/- 19,469 GROSS S.F.
 EXISTING SECOND FLOOR: +/- 29,561 GROSS S.F.
 EXISTING MEZZANINE FLOOR: +/- 5,159 GROSS S.F.
 EXISTING GROUND FLOOR: +/- 24,934 GROSS S.F.
 EXISTING LOWER LEVEL 1: +/- 25,010 GROSS S.F.
 EXISTING LOWER LEVEL 2: +/- 25,010 GROSS S.F.

SHEET INDEX

ISSUED FOR	DATE
OWNER REVIEW	1-24-2025
PERMITS	2-4-2025
SPA/SLJ/ZBA	5-12-2025
COMPACTOR REVISION	5-20-2025
SPA/SLJ/ZBA REVISIONS	5-23-2025

DAXTON

Date: 5.7.25

City of Birmingham Planning Commission
 151 Martin Street
 Birmingham, MI 48009

RE: Request for Zoning Ordinance Variance – 298 S Old Woodward Avenue

Dear Members of the Planning Commission,

On behalf of Daxton Hotel, I am writing to formally request a variance from the current zoning ordinance requirements as they relate to the location and use of our loading dock facilities. We believe this variance is necessary to better serve our operations, while also supporting the broader public interest in maintaining efficient traffic flow and enhancing the overall atmosphere of downtown Birmingham.

Argument 1 – Public Benefit and Operational Efficiency

Approval of this variance will allow us to consolidate waste and laundry service operations, reducing our current six-day-per-week garbage collection schedule to just three days. Additionally, we will be eliminating 14 weekly laundry service deliveries. This significant reduction in service vehicle traffic will directly benefit the community by lessening congestion on city streets, improving pedestrian and cyclist safety, and reducing noise and air pollution in the area. We believe these changes align with the City's goals of maintaining a vibrant and walkable urban environment.

Argument 2 – Physical Hardship and Infeasibility of Current Design

The current configuration of our loading dock, located off Brown Street, presents a significant operational hardship. The limited dimensions of the dock and the restricted turning radius available on Brown Street make it nearly impossible for commercial vehicles—including garbage trucks and delivery vans—to access the loading area safely or efficiently. This results in frequent traffic disruptions and has become a logistical challenge for our hotel's operations. Without relief from the existing zoning constraints, we are unable to make necessary improvements that would resolve these long-standing issues.

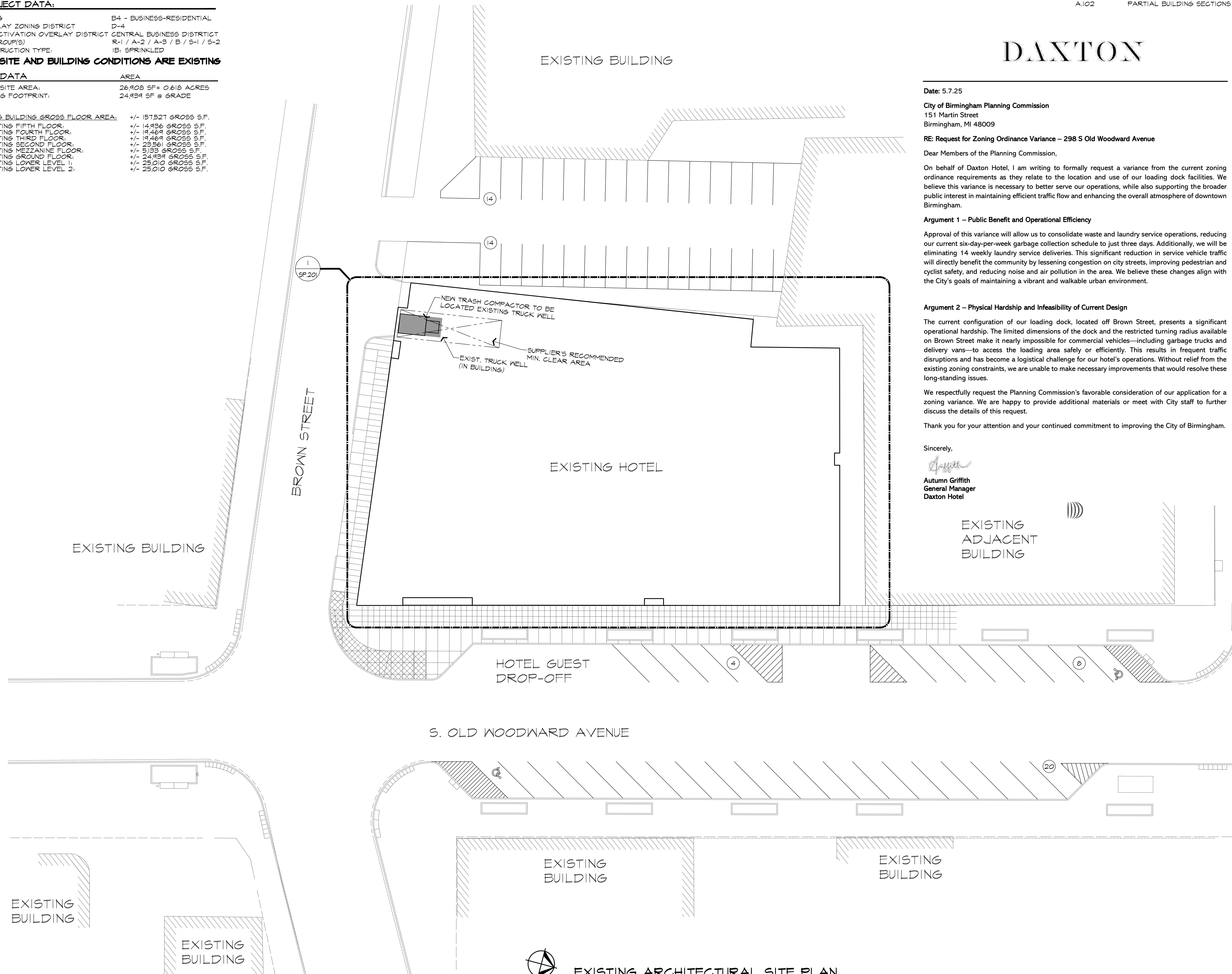
We respectfully request the Planning Commission's favorable consideration of our application for a zoning variance. We are happy to provide additional materials or meet with City staff to further discuss the details of this request.

Thank you for your attention and your continued commitment to improving the City of Birmingham.

Sincerely,

Autumn Griffith
 Autumn Griffith
 General Manager
 Daxton Hotel

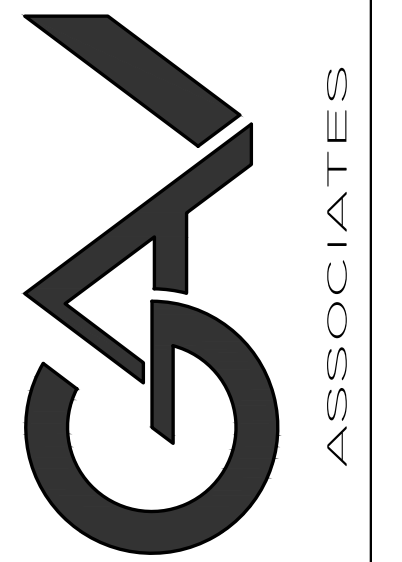
EXISTING
 ADJACENT
 BUILDING



ARCHITECTURAL DESIGN

RESIDENTIAL
 COMMERCIAL
 INDUSTRIAL

G.A.V. ASSOCIATES, INC
 2401 ORCHARD LAKE RD. STE. 100A
 FARMINGTON, MICHIGAN 48338
 PH: (248) 985-9101
 WEB: WWW.GAVASSOCIATES.COM



PROPOSED INTERIOR RENOVATION FOR:
 DAXTON HOTEL
 298 S. OLD WOODWARD AVE
 BIRMINGHAM, MICHIGAN 48009

DRAWN:	DESIGNED:	CHECKED:
DG	DG	DG

SCALE: 1" = 20'-0"

FILE NAME: 24025_SPI01

JOB #: 24025

SHEET TITLE
 EXISTING
 ARCHITECTURAL
 SITE PLAN
 SHEET #

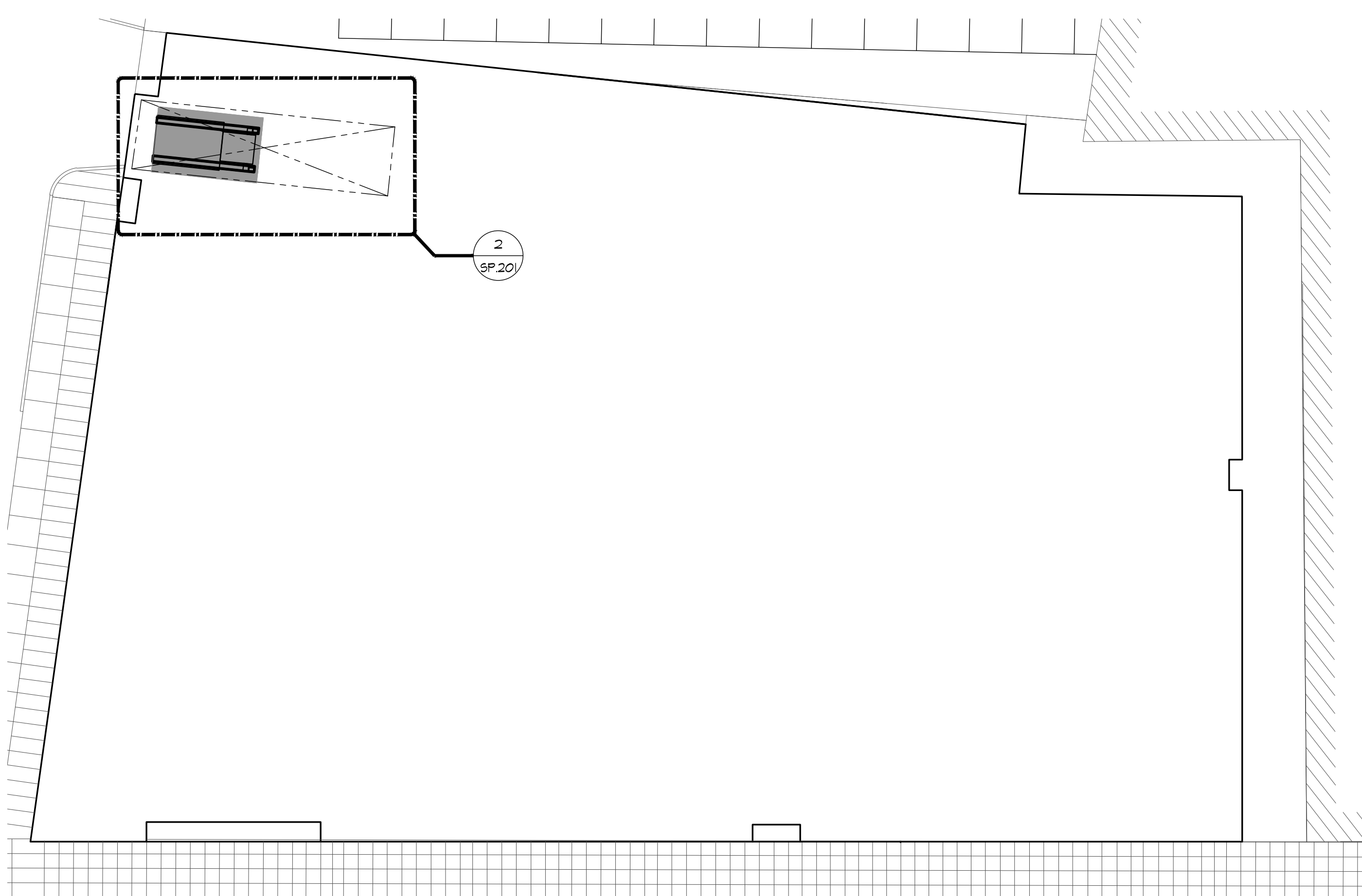
SP.01

ISSUED FOR	DATE
OWNER REVIEW	1-24-2025
PERMITS	2-4-2025
SPA/SLU/ZBA	5-12-2025
COMPACTOR REVISION	5-20-2025
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BUILDING KEY PLAN
NOT TO SCALE

GENERAL TRASH COMPACTOR NOTES:

- 1) STEEL TRACKS BY OTHERS. STEEL CONTRACTOR TO VERIFY LENGTH, SIZE, DIMENSIONS OF STEEL AND TO VERIFY LOCATION WITH OWNER, CONTRACTOR AND TRASH COMPACTOR SUPPLIER.
- 2) SPECIFICATIONS FOR TRASH COMPACTOR - SEE THIS SHEET
- 3) SUPPLIER AND CONTRACTOR TO VERIFY ALL MINIMUM MANUFACTURER'S CLEAR AREAS.
- 4) TRASH REMOVAL AS SCHEDULED PER OWNER AND SANITATION COMPANY.

SC-20 Self-Contained Compactor

Specifications	
Manufacturer's Rated Size	1.50 Cubic Yards
Rated Size	1.30 Cubic Yards
Cycle Time	35 Seconds
Capacity Per Hour	133.71 Yards
Clear Top Opening (L x W)	30 5/8" x 57 1/2"
Ram Face Dimensions (W x H)	59 3/4" x 29 3/4"
Ram Penetration	12"
Cylinder Bore, Rod & Stroke	(Twin) 4" x 2" x 36"
Operating Pressure	
Normal	1500 PSI
Maximum	2000 PSI
Ram Force Rating	
Normal	18.34 PSI / 32,744 Lbs
Maximum	24.46 PSI / 43,658 Lbs
Motor (HP)	10 HP
Pump (GPM)	12 GPM
Tank Capacity	20 Gallons
Shipping Weight	10,100 Lbs (approx)
Construction	
Frame	
Floor - AR Plate	1/2"
Floor Plate Supports	3" x 4.1 Lb Channel
Side Plates	1/4"
Side Reinforcements	2" x 4" x 1/4" Tube
Breaker Bar	4" x 4" x 3/8" Tube
Ram Hold Down Bars	1 1/4" x 1 1/4" Bar
Ram	
Face Plate	3/4"
Floor - AR Plate	1/2"
Side Plates	3/8"
Top Plate	1/4"
Sliding Plate	3/8"

Installation Requirements

Minimum Recommended Requirements:

- Concrete Pad: 10' x 20' (May be made larger to suit)
- 4,000 PSI Reinforced, 6" Thick

Minimum Clearance Requirements:

- 12" From Back of Compactor to Wall
- 36" From Right & Left of Compactor to Wall

Voltage	Amperage	Fuse
208	60	50
240	60	40
480	30	20

Standard Features

- 80% & 100% Full Indicator Lights
- Quick Disconnect Hydraulic Hoses
- Pressure Gage
- NEMA 4 Control Enclosure
- Guide Rails & Stops
- 4-Inch Clean Out

Available Options

- Hoppers & Enclosures - Any Configuration
- Interlock and Security Doors
- Oil Heater
- Power Unit Cover
- Remote Operation
- Custom Sizes

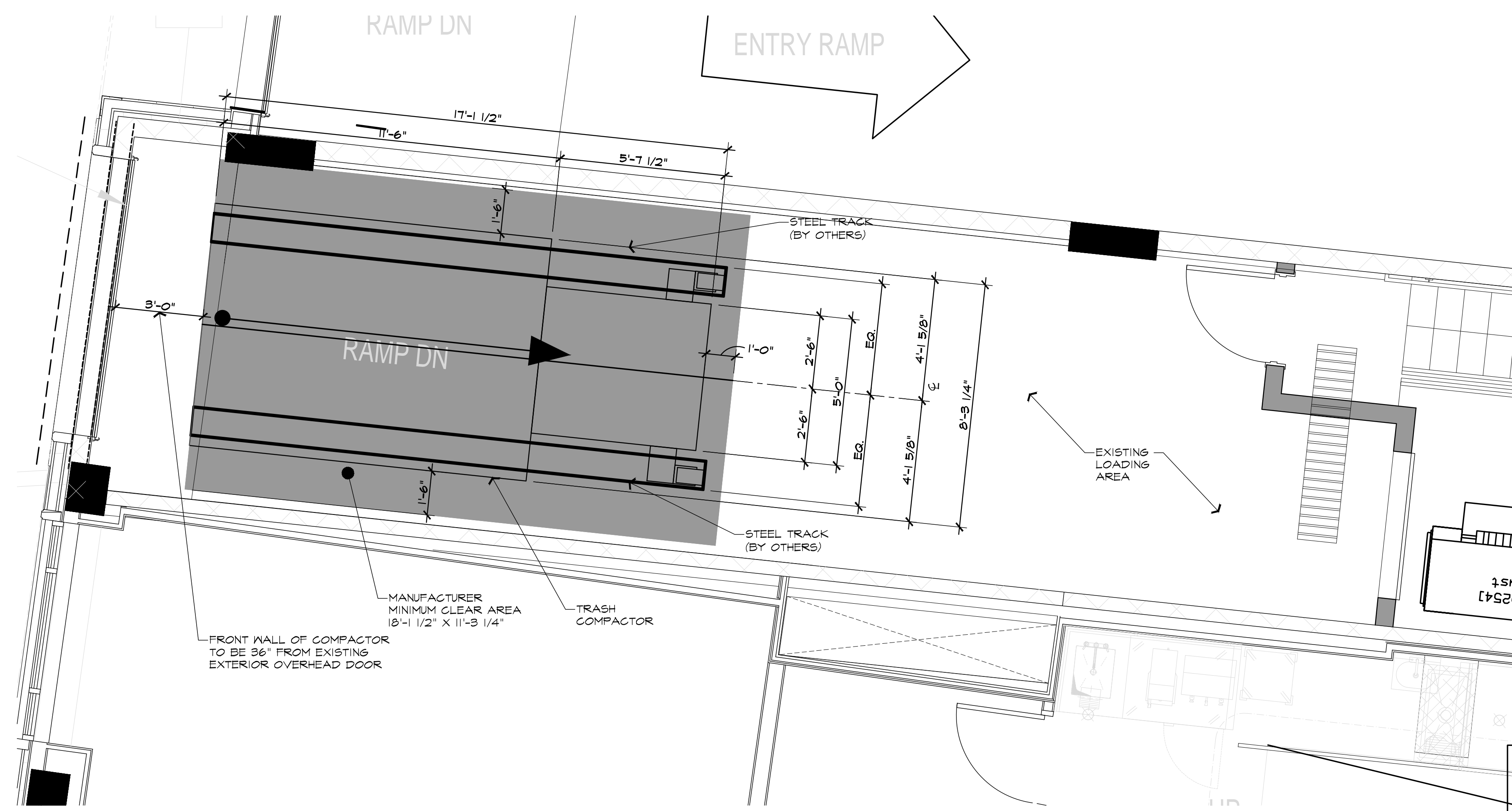
All Specifications are subject to change without notice.

A	B	C	D	E	F	G	H	Capacity
99 1/4"	60"	104 1/2"	52"	71"	30 5/8"	138"	217 1/2"	20-Yard

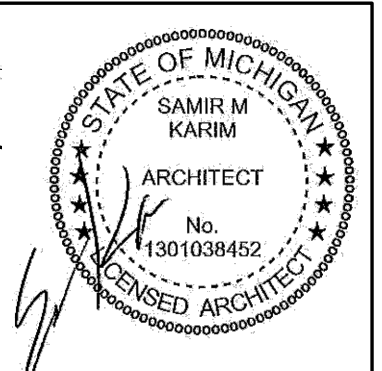
CONTRACT WELDING & FABRICATING, INC.
385 Sumpter Road • Belleville • MI 48111-2932 • Phone (734) 699-5561 • Fax (734) 699-0360
P.O. Box 68 • Belleville • MI 48112-0068
On the Web at: <http://www.contractwelding.com>

Distributor

02/07 REV1



TRASH COMPACTOR LOCATION PLAN
SCALE: 3/8" = 1'-0"



PROPOSED INTERIOR RENOVATION FOR:
DAXTON HOTEL
298 S. OLD WOODWARD AVE
BIRMINGHAM, MICHIGAN 48009

DRAWN:	DESIGNED:	CHECKED:
DS	DS	DS

SCALE : VARIES
FILE NAME : 24085_SP20
JOB # : 24085
SHEET TITLE
TRASH COMPACTOR LOCATION AND INFORMATION
SHEET #

SP.201

DOOR SCHEDULE									
DOOR HARDWARE TO PROVIDED TO OWNER COMPLYING WITH APPLICABLE CODES AND PER GENERAL DOOR SPECIFICATION.									
NO.	ROOM NAME	DOOR SIZE	DOOR		FRAME		HARDWARE SET	NOTE LEGEND	REMARKS
			TYPE	MATERIAL	TYPE	MATERIAL			
FIRST FLOOR									
101A	LAUNDRY ROOM	(2) 3'-0" x 7'-0" x 1 3/4"	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING		
101B	LAUNDRY ROOM	(2) 3'-0" x 7'-0" x 1 3/4"	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING		
101C	DRYER AREA DOOR	2'-6" x 7'-0" x 1 3/4"	2	HM	B	HM	F, G, J		DRYER MAINTENANCE AREA DOOR
102A	IRONING ROOM	3'-0" x 7'-0" x 1 3/4"	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING		
102B	IRONING ROOM	3'-0" x 7'-0" x 1 3/4"	1	HM	A	HM	E, F, G, H, M, I		
102C	IRONING ROOM	3'-0" x 7'-0" x 1 3/4"	3	HM	C	HM	D, E, F, G		ROLL-UP OVERHEAD DOOR

- ABBREVIATION (DOORS):**
 HM - HOLLOW METAL
- HARDWARE:**
- | | |
|--------------------------|--|
| A - PRIVACY LOCK SET | H - PANIC PUSH PAD, FULL BAR |
| B - PASSAGE SET | J - NON-LOCKING AGAINST EGRESS |
| C - OFFICE SET LOCK | K - LOCKSET |
| D - CLASSROOM LOCK SET | L - CARD READER |
| E - CLOSER | M - INTERCOM SYSTEM |
| F - KICKPLATE | N - DOOR TO HAVE EGRESS |
| G - WALL/FLOOR DOOR STOP | SI - SIGNAGE PER NFPA 101 2015 14.2.10 |

NOTE: VERIFY FINAL HARDWARE SETS WITH OWNER AND CONSTRUCTION MANAGER

- DOOR NOTE LEGEND:**
- 45 MINUTE FIRE-RATED DOORS, FRAMES, AND GLASS, SEE DOOR TYPE FOR DOORS WITH GLASS (100 SQ. IN. MAXIMUM, REINFORCED WITH WIRE).
 - SMOKE TIGHT DOOR SEAL.

GENERAL DOOR SPECIFICATION

- HOLLOW METAL DOORS AND FRAMES SHALL BE, AS FURNISHED BY PIONEER / STEELCRAFT / SPECIALITE (OR EQUAL). FRAMES TO 16-GAGE COMMERCIAL GRADE "F" SERIES, WELDED UNITS, WITH ANCHORS AS REQUIRED BY WALL CONDITIONS. REFER TO DETAILS ON THIS SHEET. DOORS SHALL BE 18-GAGE COMMERCIAL GRADE, "VM" SERIES, PREPARED TO RECEIVE MORTISED HARDWARE AS SPECIFIED. ALL HARDWARE MUST BE RECESSED FLUSH WITH NO SHARP EDGES EXPOSED. HM, DOORS AND FRAMES SHALL PRIME AND PAINTED TO MATCH ROOM COLOR.
- COORDINATE ALL DOORS AND FRAMES SIZES WITH MASONRY AND CARPENTRY CONTRACTORS PRIOR TO CONSTRUCTION.
- COORDINATE ALL DOORS AND DOOR HARDWARE SETS, ESPECIALLY EXTERIOR DOORS, WITH OWNER'S SECURITY / TECHNOLOGY CONSULTANTS.

CODE REVIEW & BLDG ANALYSIS:

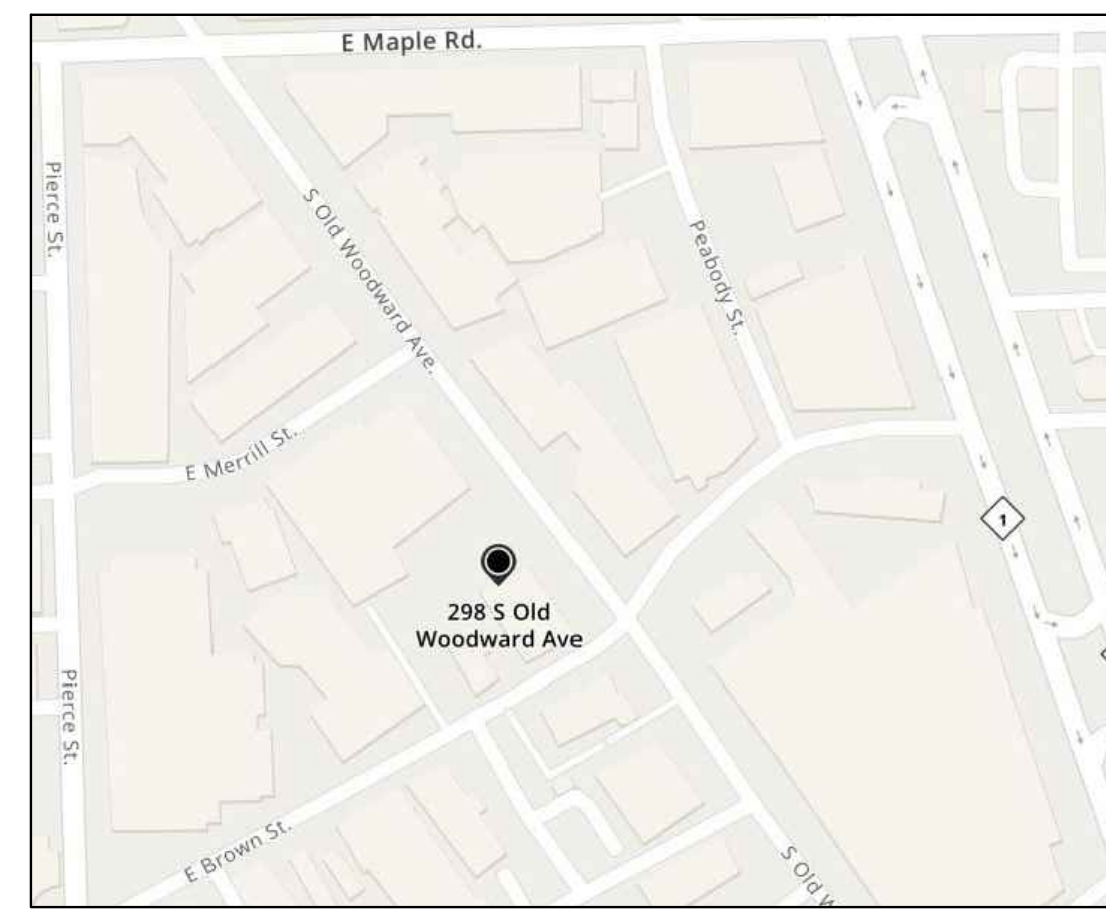
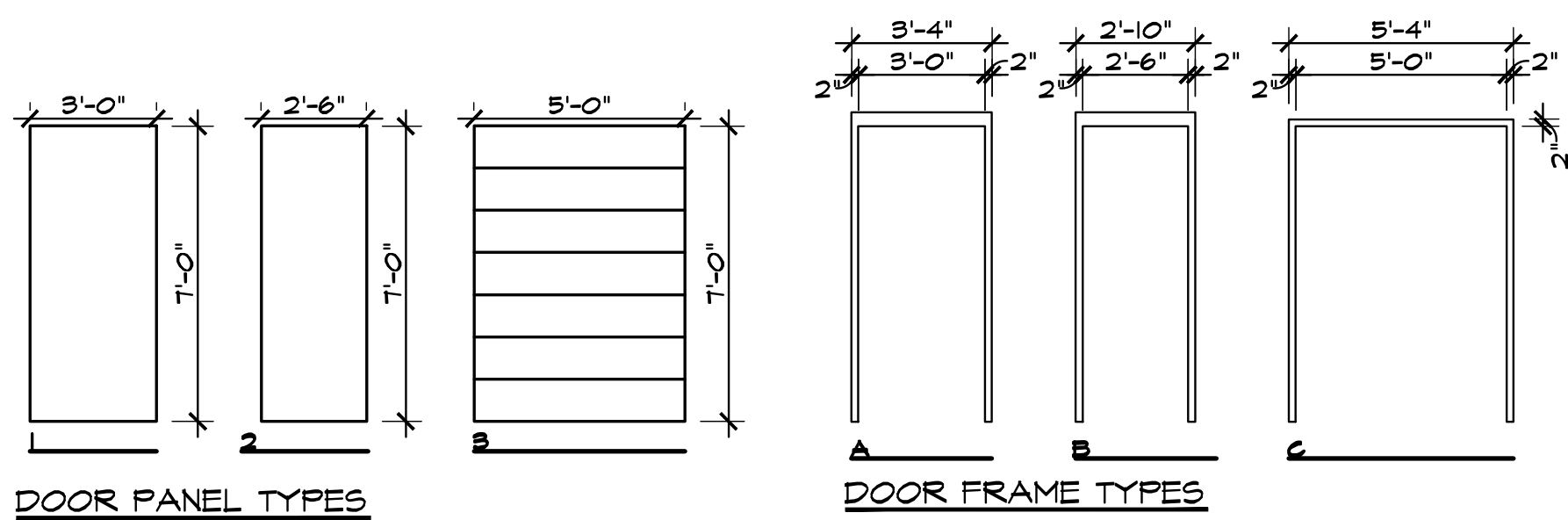
THE BUILDING PLANS ARE BEING SUBMITTED FOR THE PROPOSED ALL NEW CONSTRUCTION, SHALL COMPLY TO THE FOLLOWING:

- GENERAL CONTR. TO COMPLY W/ ALL FEDERAL, STATE, CITY AND LOCAL CODES WHERE APPLICABLE
 - * MICHIGAN BUILDING CODE 2015
 - * ICG/ANSI A117.1 2009 AND MICHIGAN BARRIER FREE DESIGN LAW P.A. 1 OF 1986 AS AMENDED
 - * MICHIGAN MECHANICAL CODE 2021 (M.M.C.)
 - * MICHIGAN PLUMBING CODE 2021 (M.P.C.)
 - * FIRE SUPPRESSION NFPA 13-2013
 - * FIRE ALARM NFPA 72-2012
 - * INTERNATIONAL FUEL GAS CODE 2015 (I.F.G.C.)
 - * MICHIGAN ENERGY CODE 2015, PART 10a (M.E.C.)
 - * ANSI/ASHRAE/ESNA STANDARD 90.1 1999 EDITION
 - * MICHIGAN ELECTRICAL CODE BASED ON 2023 N.E.C. IV PART 8 AMENDMENTS
 - * INTERNATIONAL FIRE CODE 2015 (I.F.C.)
 - * PROJECT SHALL COMPLY W/ MBC 2015 CHP. 35 REFERENCE STANDARDS

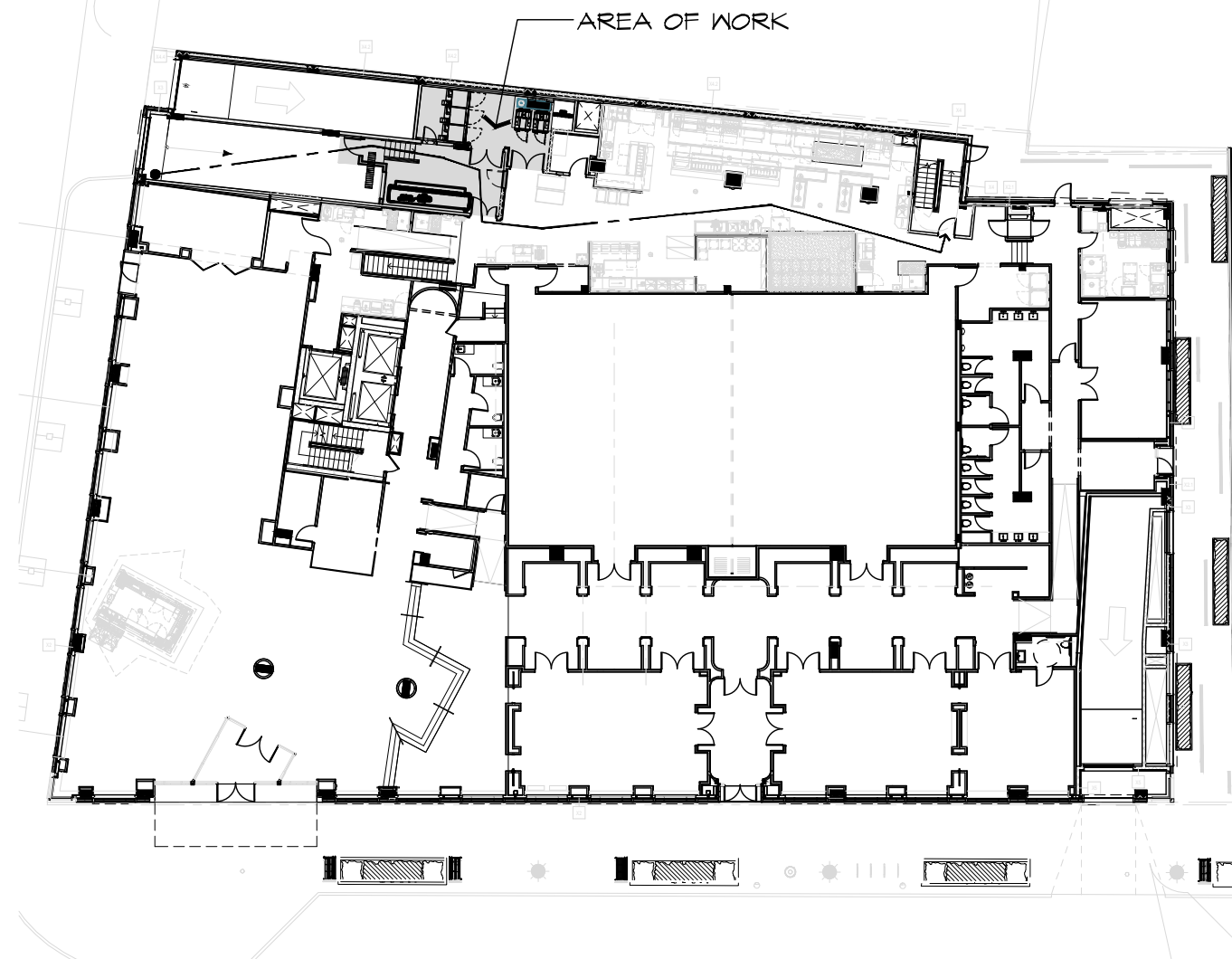
FIRE AND SAFETY:

- CONTRACTOR SHALL PROVIDE SEPERATE SHOP DRAWINGS FOR THE (SPRINKLER) FIRE SUPPRESSION SYSTEM AND ALARM SYSTEM TO THE BUILDING DEPARTMENT FOR REVIEW & APPROVAL FOR SEPERATE PERMITS.
- AUTOMATIC FIRE SPRINKLER SYSTEM, SUBMISSION OF SHOP DRAWINGS:
 - FIRE SPRINKLER SUPPRESSION SYSTEM IS REQUIRED BY MBC SECTION 403.2.3
 - SUBMIT AUTOMATIC FIRE SPRINKLER SYSTEM SHOP DRAWINGS AND HYDRAULIC CALCULATIONS WITH SUPPORTING DOCUMENTATION AS REQUIRED BY NFPA 13, SECTION CHAPTER 22 UNDER SEPERATE PERMIT REQUIREMENT TO THE BUILDING DEPARTMENT FOR REVIEW AND APPROVAL PRIOR TO COMMENCEMENT OF THIS WORK (107.2.2).
- CONTRACTOR TO PROVIDE PORTABLE FIRE EXTINGUISHER AND CABINETS PER 2012 INTERNATIONAL FIRE CODE AND NFPA 10.

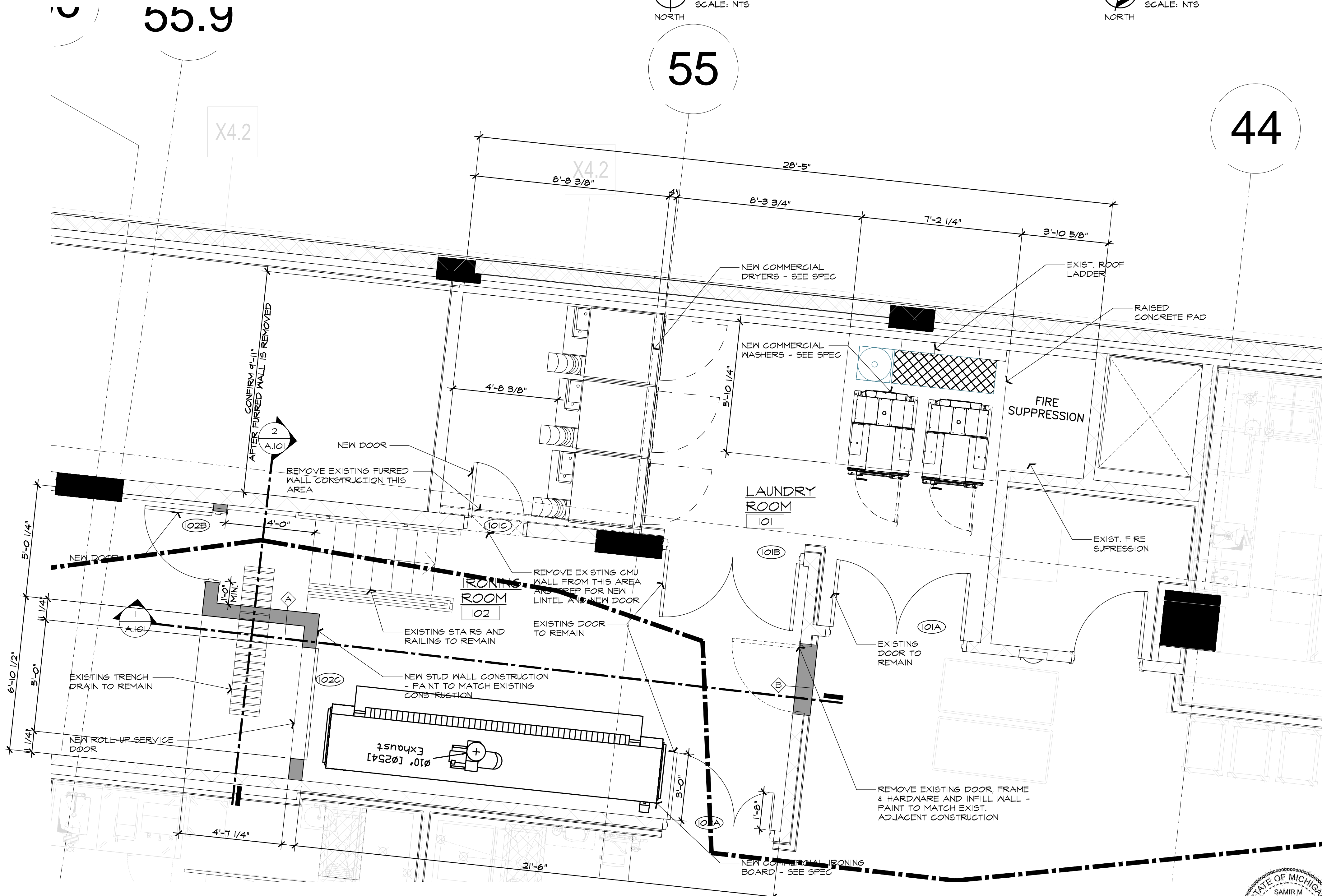
WALL LEGEND	
A	6 W/ 3/8" FLANGE 20 GA METAL STUDS AT 16" O.C. WITH 5/8" CEMENT BD ON EACH SIDE - EXTEND TO BOTTOM OF DECK, PROVIDE R-21 KRAFT-FACED BATT INSULATION, PROVIDE DEFLECTION TRACK. PAINT TO MATCH EXIST. WALL CONSTRUCTION
B	6 W/ 3/8" FLANGE 20 GA METAL STUDS AT 16" O.C. WITH 5/8" HIGH IMPACT GYP. BD. ON EACH SIDE - EXTEND TO BOTTOM OF DECK, PROVIDE DEFLECTION TRACK. - PAINT TO MATCH EXIST. ADJ. WALL CONSTRUCTION



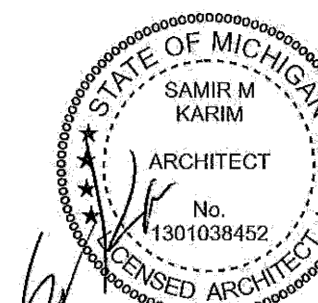
LOCATION MAP
SCALE: NTS



KEY PLAN
SCALE: NTS



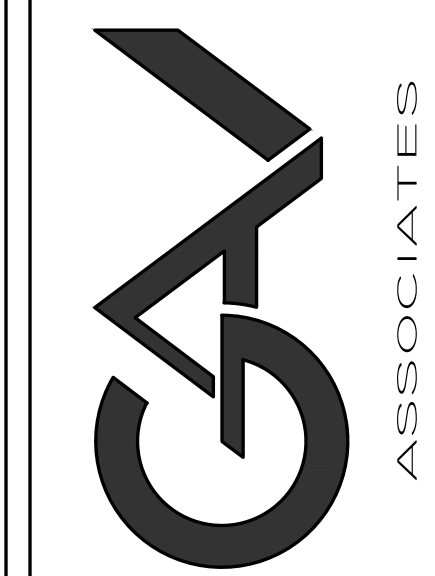
ENLARGED LAUNDRY ROOM FLOOR PLAN
SCALE: 3/8" = 1'-0"



ISSUED FOR	DATE
OWNER REVIEW	1-24-2025
PERMITS	2-4-2025
SPA/SLU/ZBA	5-12-2025
SPA/SLU/ZBA REVISIONS	5-23-2025

ARCHITECTURAL DESIGN
 RESIDENTIAL
 COMMERCIAL
 INDUSTRIAL

G.A.V. ASSOCIATES, INC
 2401 ORCHARD LAKE RD, STE 100A
 FARMINGTON, MICHIGAN 48338
 PH: (248) 985-9101
 WEB: WWW.GAVASSOCIATES.COM



PROPOSED INTERIOR RENOVATION FOR:
 DAXTON HOTEL
 298 S. OLD WOODWARD AVE
 BIRMINGHAM, MICHIGAN 48009

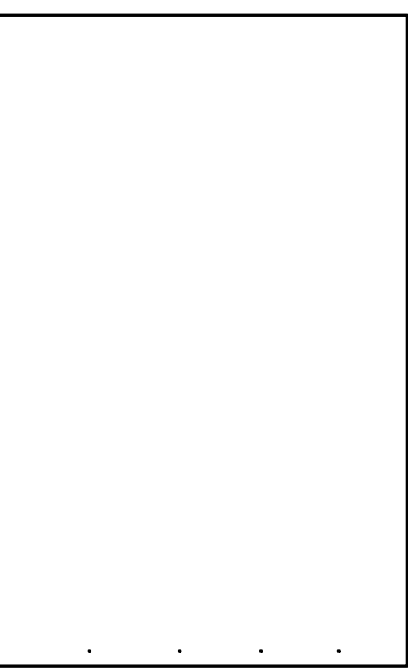
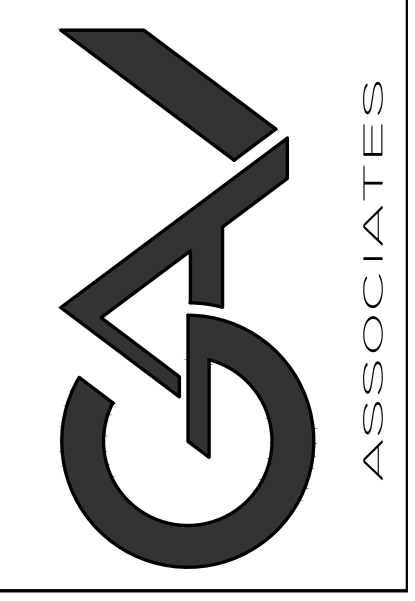
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SCALE: 1/8" = 1'-0"		
FILE NAME: 18128_A101		
JOB #: 24025		
SHEET TITLE ENLARGED LAUNDRY ROOM FLOOR PLAN		
SHEET # A.101		

ISSUED FOR	DATE
OWNER REVIEW	1-24-2025
PERMITS	2-4-2025
SPA/SLU/ZBA	5-12-2025
SPA/SLU/ZBA REVISIONS	5-23-2025

ARCHITECTURAL DESIGN

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COMMERCIAL
INDUSTRIAL

G.A.V. ASSOCIATES, INC
2401 ORCHARD LAKE RD. STE. 100A
FARMINGTON, MICHIGAN 48338
PH: (248) 986-9101
WEB: WWW.GAVASSOCIATES.COM



PROPOSED INTERIOR RENOVATION FOR:
DAXTON HOTEL
298 S. OLD WOODWARD AVE
BIRMINGHAM, MICHIGAN 48009

DRAWN:	DESIGNED:	CHECKED:
DG	DG	DG

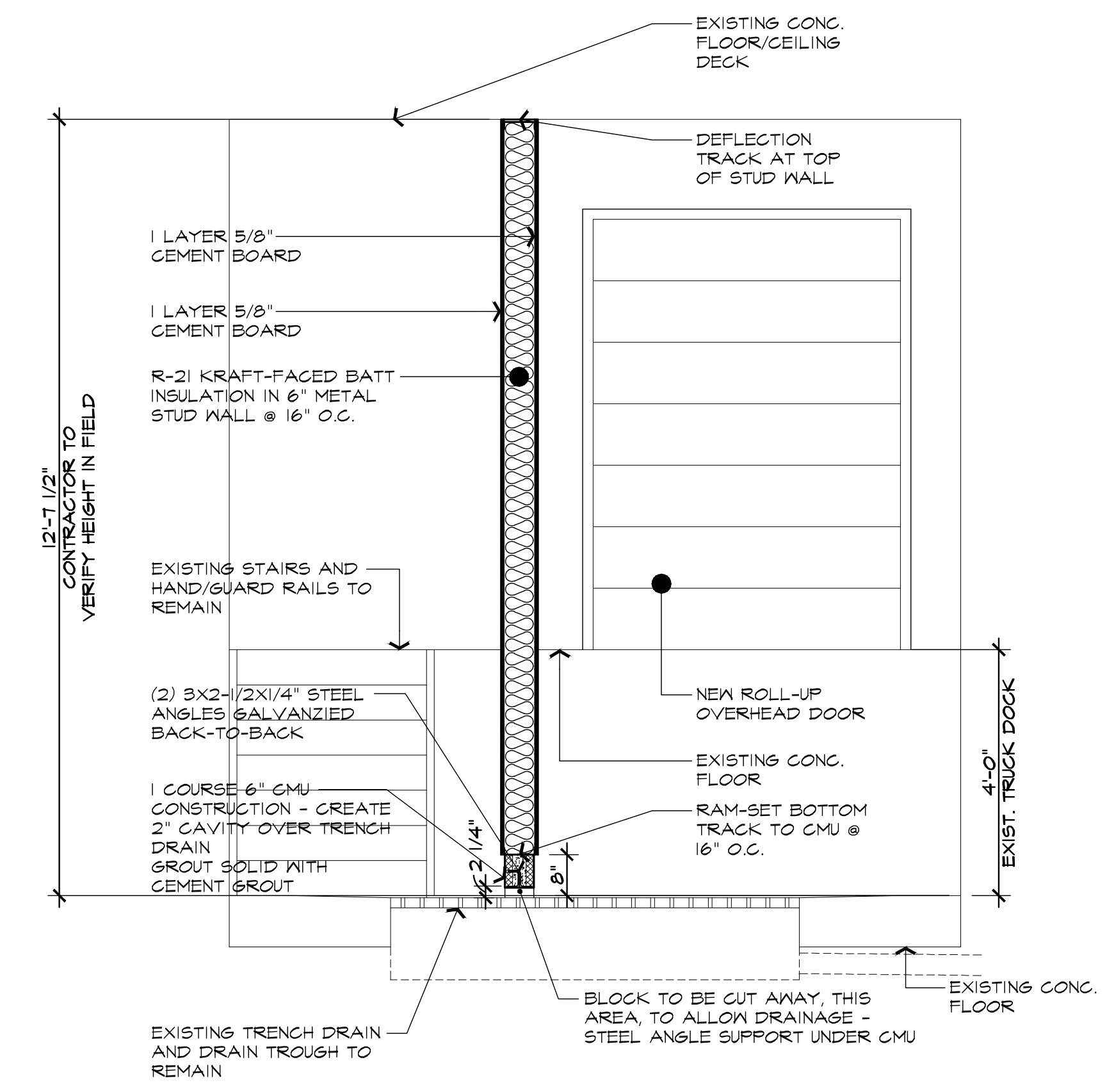
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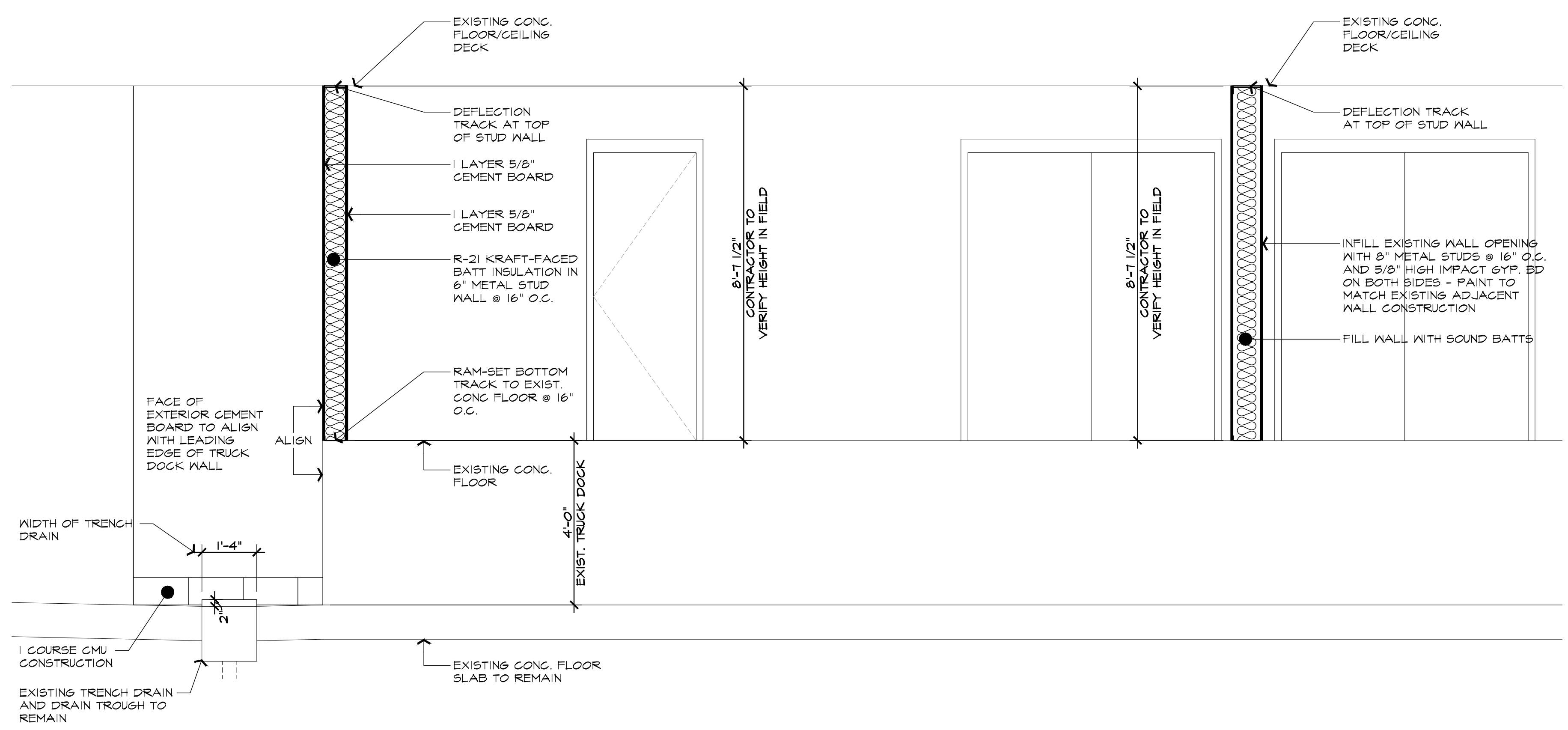
JOB # : 24025

SHEET TITLE
PARTIAL BUILDING SECTIONS
SHEET #

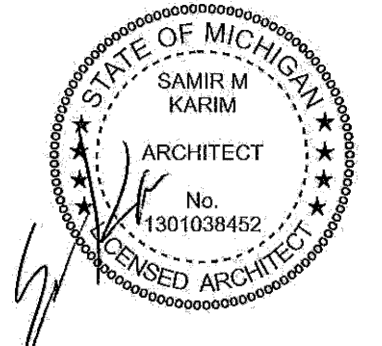
A.102



2 PARTIAL BUILDING SECTION
SCALE: 1/4" = 1'-0"



1 PARTIAL BUILDING SECTION
SCALE: 1/4" = 1'-0"





MEMORANDUM

Planning Department

DATE: May 28, 2025

TO: Planning Board Members

FROM: Nick Dupuis, Planning Director

SUBJECT: 163 W. Maple – Café Origins – Final Site Plan & Design Review (POSTPONED FROM APRIL 23, 2025)

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. In addition, a new food & drink establishment at 168 W. Maple (Teuta) has also recently applied to be considered for an outdoor dining platform in close proximity. There are no other changes proposed to the building or site.

On April 23, 2025 ([Agenda](#) – [Minutes](#)), the Planning Board reviewed the application and moved to postpone consideration to permit the applicant time to provide more detail on several important elements of the proposal, including key dimensions and property ownership.

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 –

(This space intentionally left blank)

	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 a portion two on-street parking spaces, which will remove both from use by the parking system. At this time, the outdoor dining facility is within the limits of the Café Origins storefront.

The applicant has submitted details on the materials proposed on the deck, and has provided a side profile that confirms that the deck is proposed to be constructed flush with the curb as required by the ordinance. The materials proposed for the deck surface is a brown Trex decking material, and the patio will be enclosed by a 36 in. white metal railing. The applicant has shown that the outdoor dining facility will contain an umbrella at each table, two planter boxes and a trash receptacle. For the umbrellas, Article 4, Section 4.44 (C)(5)(ii) states that overhead weather protection on outdoor dining platforms must measure a minimum of 8 ft. from the finished floor of an outdoor dining platform, and shall not exceed 10 ft. in overall height. The plans show umbrellas with 8 ft. of clear space from grade to the bottom of the umbrella, and the height of the umbrella at the peak is 9.5 ft.

The site plan submitted contains a dimension demonstrating 9 ft. of continuous clear path for pedestrian passage between the building frontage and the outdoor dining furniture. With the doors of the business open, when they are open, the continuous clear path is a little over 6 ft. The minimum clear path between obstructions is 5 ft., thus the applicant meets this requirement.

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.

7.0 Required Attachments

	Submitted	Not Submitted	Not Required
Existing Conditions Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Detailed and Scaled Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Certified Land Survey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Interior Floor Plans	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Landscape Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Photometric Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Colored Elevations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Material Specification Sheets	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Material Samples	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Site & Aerial Photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 platform 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 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 and maintain a valid outdoor dining permit;
2. 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 and maintain a valid outdoor dining permit;
2. 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

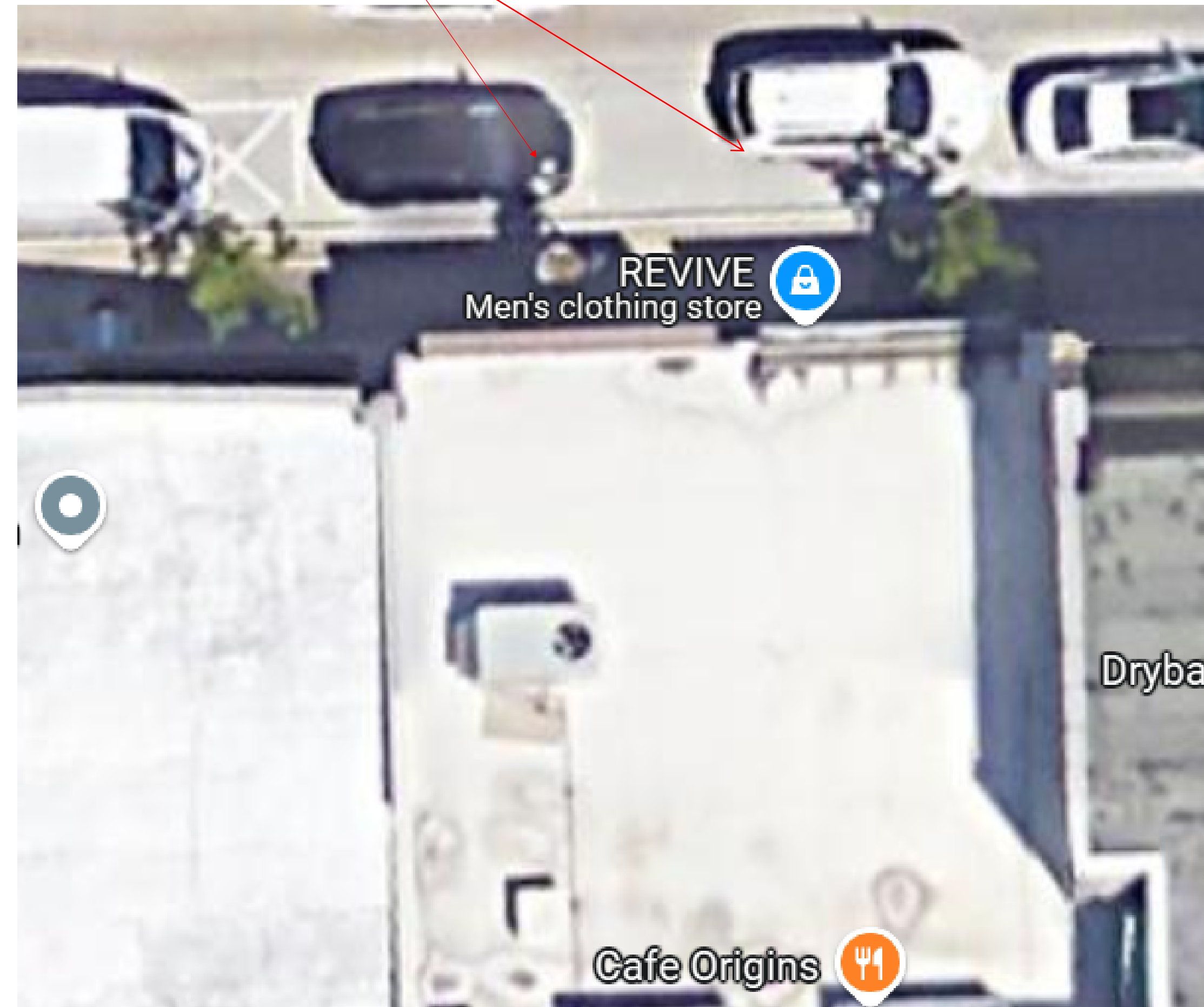
Motion to **DENY** the Final Site Plan & Design Review application for 163 W. Maple – Origins Cafe – for the following reasons:

1. _____
2. _____
3. _____

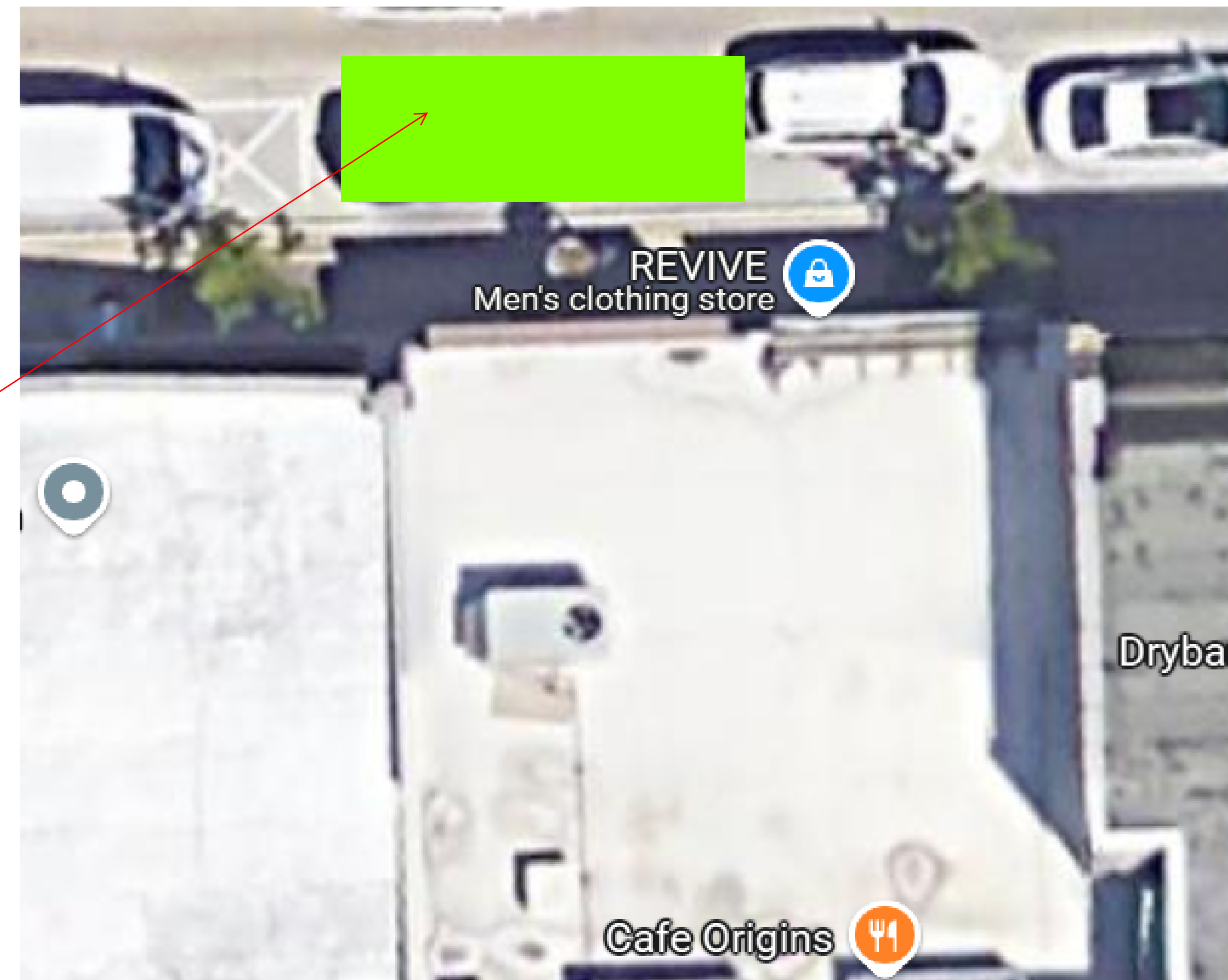
CAFE ORIGINS,
163 MAPLE,
BIRMINGHAM



EXISTING
PARKING
SPOTS TO BE
REMOVED TO
CONSTRUCT
DECK PATIO



PROPOSED 21FTX8FT DECK PATIO
TO BE INSTALLED AT THE EXISTING
PARKING LOCATIONS (SEE SHEETS
A1 & A2 FOR DETAILS)



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.:

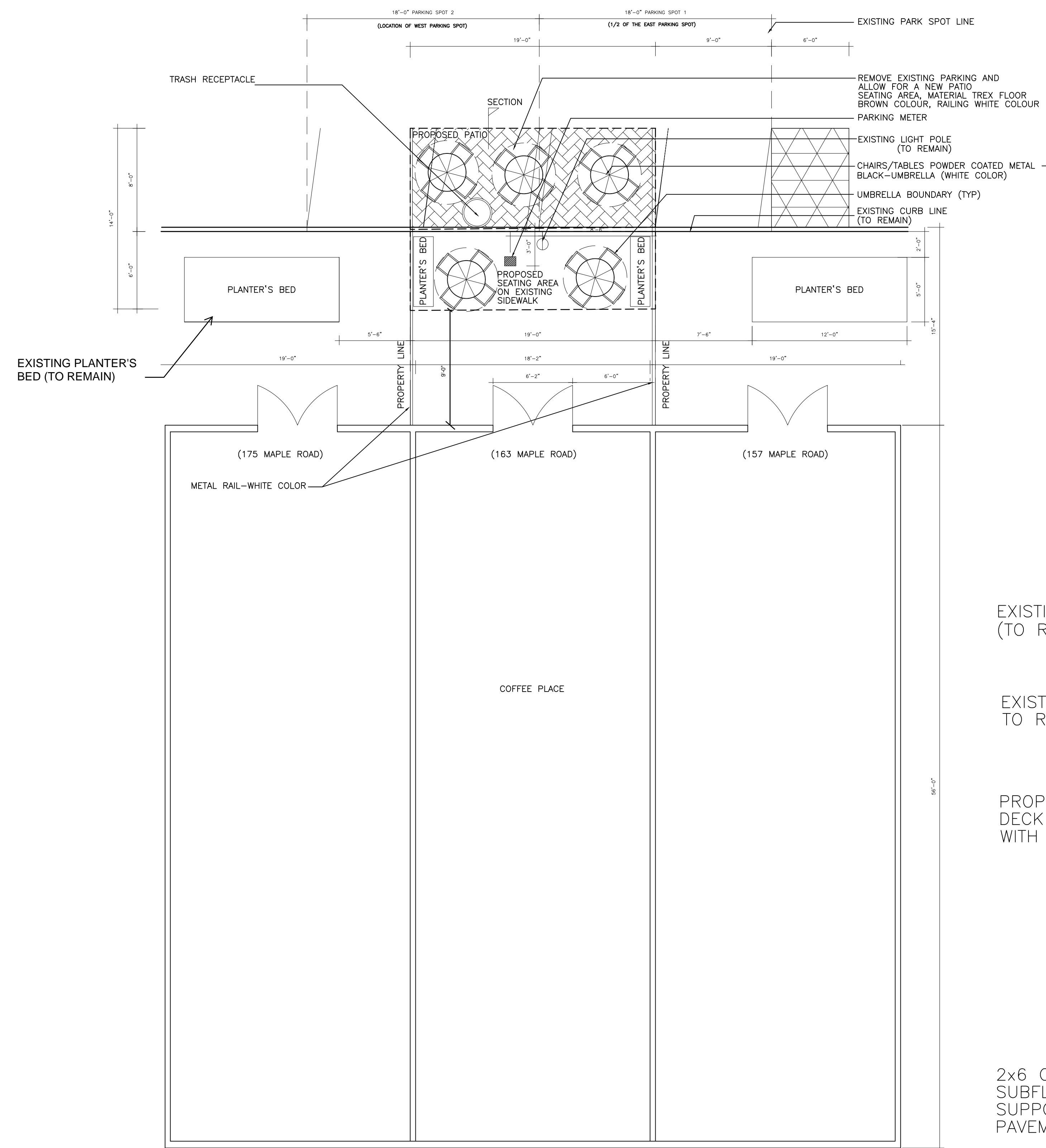
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05/10/2025
SCALE
AS SHOWN

SHEET TITLE
FFE SPECIFICATION

SHEET NO
A-0

SEAL





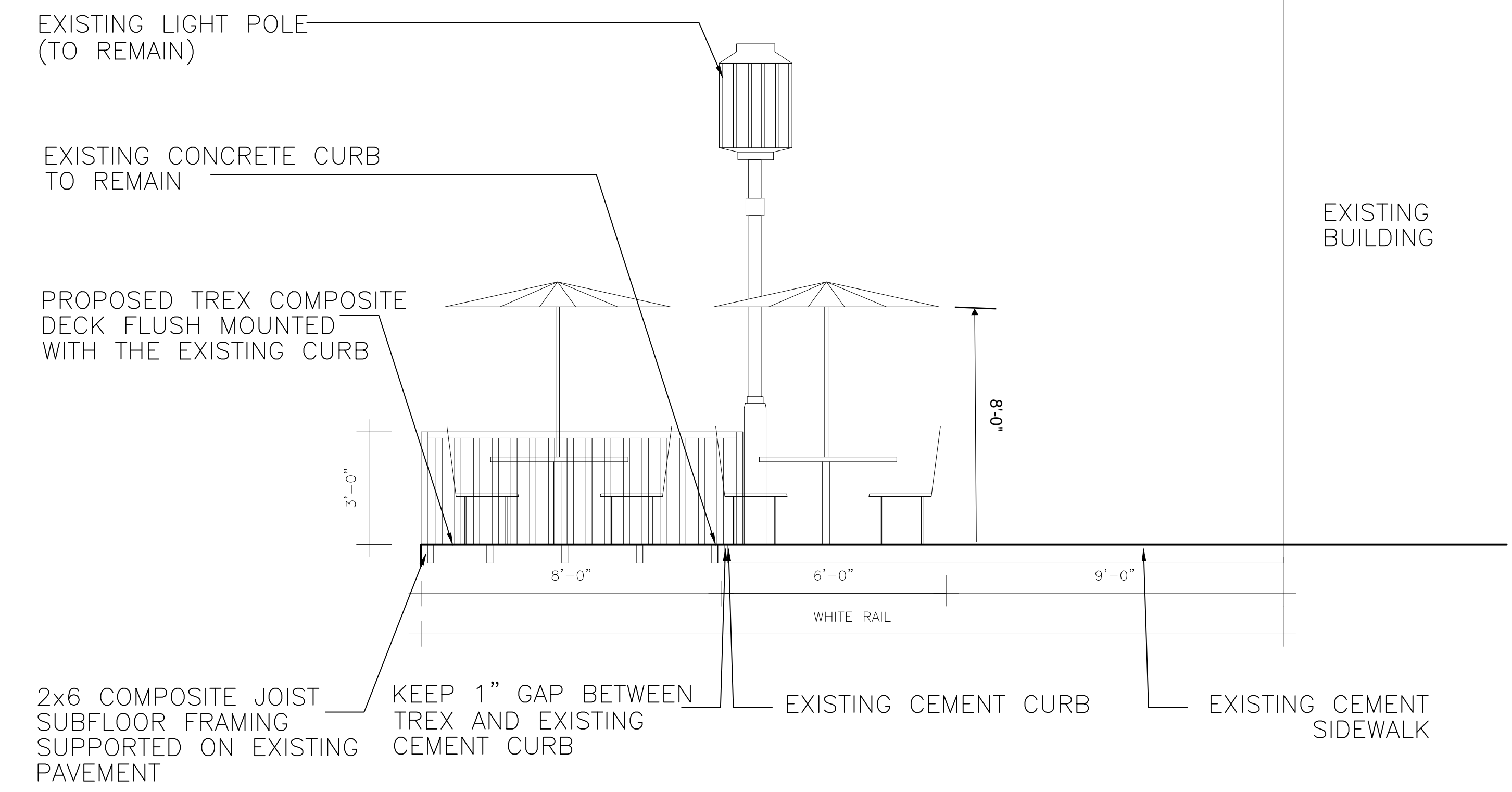
PROPOSED LAYOUT
Scale: 3/16" = 1'-0"

- NOTES
- 1- PROPOSED DECK SHALL BE THE SAME HEIGHT OF THE EXISTING CONCRETE CURB
 - 2- THE PROPOSED DECK WILL BE FABRICATED USING TREX COMPOSITE MATERIAL , THE TREX COLOR IS BROWN
 - 3- WHITE METAL RAILING WILL BE INSTALLED AT THE PROPOSED DECK
 - 4- WHITE OUTDOOR UMBRELLA WILL BE INSTALLED AT EACH TABLE
 - 5- TRASH RECEPTACLE SHALL BE PROVIDED FOR THE OUTDOOR DINING

SCOPE OF WORK:
ADD SEATING AREA IN EXISTING CONCRETE SIDEWALK IN FRONT OF THE CAFE AT 163 MAPLE ROAD.
INSTALL WOOD PATIO AT THE EXISTING PARKING SPOT IN FRONT OF THE EXISTING CAFE.

OCCUPANCY USE:
ASSEMBLY GROUP A-2

- SPECIFICATIONS:
- NUMBER OF SEATS: 20
- PATIO FLOOR MATERIAL: COMPOSITE DECKING BROWN - **TREX**
- PATIO RAILING MATERIAL: POWDER COATED METAL - **WHITE**
- PLANTERS: POWDER COATED METAL - **BLACK**
- TABLE MATERIALS: POWDER COATED METAL - **WHITE**
- CHAIR MATERIALS: POWDER COATED METAL - **WHITE**
- GUEST TRASH CAN: POWDER COATED **COMPOSITE - BROWN OR BLACK**



CROSS SECTION
Scale: 3/8" = 1'-0"

PROJECT:
CAFE
PROPOSED
PATIO

LOCATION:
163 MAPLE
ROAD,
BIRMINGHAM

RZ ENGINEERING LLC
42690 Woodward Ave.,
Suite 327,
Bloomfield Hills
MI 48304.
P: (248) 915-1600
zackhanna@hotmail.com

DRAWN BY:
R.P.

DESIGNED BY:
ZACK

APPROVED BY:
ZACK

SUBMITTAL:

REVISIONS:

PROJECT NO.:

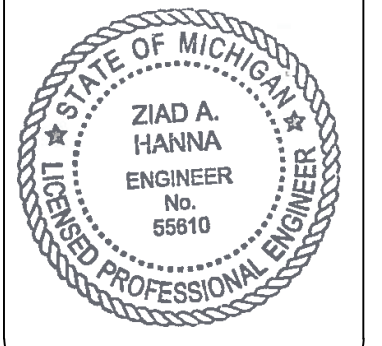
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05/13/2025





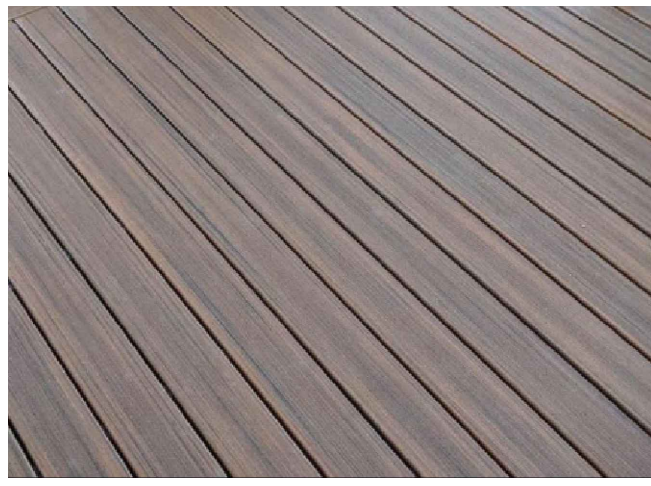
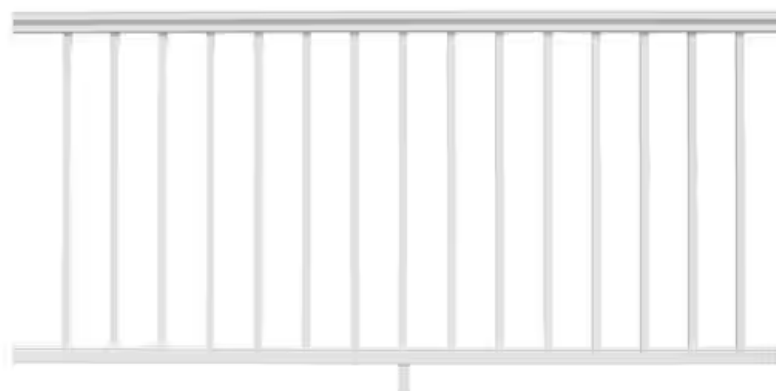
SCALE:
AS SHOWN

SHEET TITLE:
PROPOSED LAYOUT
AND CROSS SECTION

SHEET NO.
A-1

SEAL



ITEM TYPE	IMAGE	SPECIFICATION
TABLE AND CHAIR		POWDER COATED METAL – WHITE
GUEST TRASH CAN RECEPTACLE (OUTDOOR)	 OR SIMILAR	POWDER COATED METAL – BLACK OR BROWN
OUTDOOR PLANTERS		POWDER COATED METAL – BLACK
OUTDOOR UMBRELLA		WHITE COLOR
PATIO FLOORING		TREX COMPOSITE DECKING BROWN
PATIO RAILING		POWDER COATED METAL – WHITE

SPECIFICATIONS:

NUMBER OF SEATS:20
 PATIO FLOOR MATERIAL: COMPOSITE DECKING BROWN - **TREX**
 PATIO RAILING MATERIAL: POWDER COATED METAL – **WHITE**
 PLANTERS: POWDER COATED METAL – BLACK
 TABLE MATERIALS: POWDER COATED METAL – **WHITE**
 CHAIR MATERIALS: POWDER COATED METAL – **WHITE**
 GUEST TRASH CAN: POWDER COATED **COMPOSITE - BROWN OR BLACK**

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:
05/10/2025

SCALE
AS SHOWN

SHEET TITLE

FFE SPECIFICATION

SHEET NO
A-2

SEAL





MEMORANDUM

Planning Department

DATE: May 28, 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 April 23, 2025
- 239 N Old Woodward – Bloom Bistro – Under construction
- 300 S. Old Woodward – Restoration Hardware – Under construction
- 707 S. Worth – Temporary Certificate of Occupancy has been issued
- 243 Merrill – La Strada – Final inspections
- 320 Martin – Birmingham Post Office – Permitting
- 34350 Woodward – Fred Lavery Porsche – Permitting, 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)
- 185 N. Old Woodward – Bell Bistro – Public Hearing set for June 23, 2025.

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 Frost



MEMORANDUM

Planning Department

DATE: June 10, 2024

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Planning Board & City Commission Joint Meeting

1. What to Expect from a Zoning Ordinance Update

On May 19, 2025 ([Agenda](#)), the City Commission moved to adopt budget appropriations for the 2025-2026 Fiscal Year that included \$200,000 to update the City's Zoning Ordinance, which is the next logical progression of the Birmingham Plan 2040 ("2040 Plan"). The Planning Board has been preparing for a Zoning Ordinance update for some time, predominantly through prioritizing the recommendations within the 2040 Plan, which were reviewed with the City Commission at a Joint meeting on June 10 2024 ([Agenda – Minutes](#)). The prioritization was subsequently formalized by the City Commission during their regular meeting on July 8, 2024 ([Agenda – Minutes](#)) where they assigned each prioritization matrix related to the Birmingham 2040 Plan to the corresponding board/commission and to authorized the Planning Board to provide oversight of the prioritization matrices, with the understanding that the Planning Board would provide annual updates to the City Commission of progress and any changes.

Timeline

(describe an anticipated timeline)

Public Process

(Emphasize that there will be multiple points for public feedback/interaction)

Best Practices

(Make note that the 2040 Plan will be the foundation, but that these process consider best practices from the Planning field as well as current/future priorities)

Questions:

- TBD

2. Outdoor Dining Platforms

As the City of Birmingham has enabled outdoor dining on public and private property for nearly three decades, the City has enjoyed a number of high quality outdoor dining facilities where people can enjoy a meal during the spring, summer and fall months. These outdoor dining facilities and the associated regulations help activate public space, foster economic development, safeguard the use of public property, and provide flexibility for current trends and future demands for outdoor dining.

As the City has evolved, particularly Downtown, the number of food and drink establishments that contain outdoor dining facilities is significant. These outdoor dining facilities are not limited to full service restaurants or liquor license holders – many casual dining establishments are also taking advantage of the additional seating for their customers. Of particular concern are outdoor dining platforms, mostly due to their relationship with the City's public parking system. Of the 48 food and drink establishments that have a permitted outdoor dining facility, 15 (31%) are located on outdoor dining platforms. These existing outdoor dining platforms exist either wholly or partially in 25 on-street parking spaces. At the time of this report, there are 3 more outdoor dining platforms in the process of site plan approval (3 parking spaces total). Each of these platforms is located in what would be considered the Downtown "core" and are all within a XXX sq. mile area of each other.

At this point, the City of Birmingham does not have a cap on the number of outdoor dining platforms generally, nor any sort of metric to limit outdoor dining platforms at a street, block, or other similar level of analysis.

Questions:

- Does the City Commission wish to direct the Planning Board to study a limit on the number of outdoor dining platforms in an area?
- If so, what are some major considerations that the City Commission feels should be taken into account?

ADMIN APPROVAL - PB

App Date	Case #	Scope of Work	Property Address	Status
05/19/2025	PAA25-0039	Additional parking lot lighting to be installed along West side of the property due to safety concerns at night. The plan is to add three (3) 12 ft high LED light fixtures along the East side of the masonry screen wall.	36877 WOODWARD AVE	COMPLETED - APPROVED

Total Processes For Type: 1



AGENDA

REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD

WEDNESDAY JUNE 11, 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 **May 28, 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
 - 1. **168 W. Maple – Teuta – Final Site Plan & Design Review Request for New Outdoor Dining Facility in W. Maple Right-of-Way.**
 - 2. **295 Elm – Forest Townhomes – Request for Re-Approval of Expired Final Site Plan & Design Review Approval for Attached Single-Family Townhomes.**
 - 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. **2025-2026 Budget – Zoning Ordinance Update**
 - iii. **Joint Meeting – June 16, 2025**
 - 3. Administrative Approval Correspondence
 - i. **May 23, 2025 – June 6, 2025**
 - 4. Draft Agenda – **June 25, 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 JUNE 25, 2025 – 7:30 PM

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

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- A.** Roll Call
 - B.** Review and Approval of the Minutes of the Regular Meeting of **June 11, 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
 - I.** Community Impact Studies
 - J.** Site Plan & Design Reviews
 - K.** Study Session
 - L.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - i. **Project Updates**
 - ii. **2025-2026 Budget – Zoning Ordinance Update**
 - 3. Administrative Approval Correspondence
 - i. **June 6, 2025 – June 20, 2025**
 - 4. Draft Agenda – **July 9, 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>

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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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ongoing	<input type="checkbox"/>	<input type="checkbox"/>
Triangle District Bonus Height Requirements	Create a new list of bonus height provisions for the Triangle District	<input type="checkbox"/>	<input type="checkbox"/>	1 st (January-March)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Impervious Surface, Open Space & Lot Coverage	Review and improve standards for impervious surfaces and ensure consistency with open space and lot coverage goals	<input type="checkbox"/>	<input type="checkbox"/>	1 st (January-March)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Public Project Review Process	Develop a comprehensive set of guidelines for the review of public development projects	<input type="checkbox"/>	<input type="checkbox"/>	2 nd (April-June)	<input type="checkbox"/>	<input type="checkbox"/>
“Create a Woodward Safety and Beautification Plan.”	Begin to address the Woodward divide.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3 rd (July-September)	<input type="checkbox"/>	<input type="checkbox"/>
Ordinance Enforcement	Maintain a vibrant community.	<input type="checkbox"/>	<input type="checkbox"/>	4 th (October-December)	<input type="checkbox"/>	<input type="checkbox"/>