

**City Of Birmingham**  
**Regular Meeting Of The Planning Board**  
**Wednesday, August 25, 2021**  
City Commission Room  
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on August 25, 2021. Chair Clein convened the meeting at 7:30 p.m.

**A. Roll Call**

**Present:** Chair Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Daniel Share, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Members Jason Emerine, Nasseem Ramin (arrived 7:40 p.m)

**Absent:** Student Representatives Daniel Murphy, Jane Wineman

**Administration:** Brooks Cowan, City Planner ("CP")  
Nick Dupuis, City Planner ("CP")  
Jim Surhigh, Consulting City Engineer ("CCE")

**MKSK:** Haley Wolf

**08-118-21**

**B. Approval Of The Minutes Of The Regular Planning Board Meeting of August 11, 2021**

**Motion by Mr. Williams**

**Seconded by Mr. Share to approve the minutes of the Regular Planning Board Meeting of August 11, 2021 as submitted.**

**Motion carried, 7-0.**

VOICE VOTE

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

Nays: None

**08-119-21**

**C. Chair's Comments**

Chair Clein welcomed everyone to the meeting and reviewed the meeting's procedures.

**08-120-21**

**D. Review Of The Agenda**

**08-121-21**

**E. Unfinished Business**

**1. 525 E. Brown (Birmingham Roast),** Request for Design Review for changes to existing outdoor dining area (postponed from July 28, 2021).

CP Dupuis presented the item.

Jesse Dhillon, owner, was present on behalf of the request. He said he would be seeking an extended outdoor dining permit if approved.

After discussion the Board requested that staff seek clarification from the Fire Marshall regarding whether a sprinkler system would still be required without sides on the structure.

There were some concerns expressed about the size of the proposed structure and the feasibility of taking the structure down every night during the extended dining season with the sprinkler system.

A number of board members said they would be more supportive of approving these plans for a year to see how the outdoor dining standards conversation unfolds.

Mr. Williams noted that it was unlikely that the Board could offer approval for only one year in this case since it was not a SLUP.

Mr. Jeffares said the City should improve its timing regarding receipt of information so that a simple informational question does not end up postponing a project as was the case here. Mr. Jeffares noted that when the same structure was in place during the Covid-19 temporary outdoor dining standards it provided desirable activation of the streetscape.

The Board also asked staff to add fire suppression to the topics to be discussed as part of the outdoor dining standards review.

**Motion by Mr. Williams**

**Seconded by Mr. Share to postpone the design review for 525 E. Brown (Birmingham Roast), Request for Design Review for changes to existing outdoor dining area to September 9, 2021 .**

**Motion carried, 7-0.**

**ROLL CALL VOTE**

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

Nays: None

Chair Clein apologized to Mr. Dhillon for the delay. He asked staff to add when outdoor dining is a SLUP and when it is not, and the implications of that difference, to the topics to study as part of the outdoor dining standards discussion.

Mr. Williams said the Board should also study how year-round dining should interact with SLUPs, and whether changes should be made to that aspect of the ordinance.

**08-122-21**

**F. Courtesy Review**

**1. Old Woodward Reconstruction Project, Phase 3 (Brown to Landon)**

CP Cowan introduced the item.

Haley Wolf of MKSK presented the item.

Ms. Wolf confirmed there would be bicycle racks installed at the bus stops.

Mr. Jeffares said the planned changes for the intersections would likely make it easier for drivers coming off Haines, Hazel, and Bowers to merge onto S. Old Woodward.

Mr. Williams, Mr. Boyle, Mr. Emerine and Chair Clein all recommended that the City consider implementing the more northern aspects of this plan while waiting on the more southern parts. They all noted that the master plan has a proposal for the southernmost part of S. Old Woodward that would require tearing up the current plans, if implemented, in a few years.

Mr. Williams specified he would not consider implementing any of the project south of Bowers at this time; Chair Clein said he would not recommend doing south of Haynes.

Ms. Wolf noted that many retailers in the area offer private parking for customers, and also noted that the team working on this was in ongoing conversations with the local businesses.

Ms. Whipple-Boyce said she liked the proposed changes, and noted that the currently low occupancy rates south of George would likely change if the RH development proceeds.

Mr. Boyle and Chair Clein said some attention should be given to mitigating the speed of drivers coming up S. Old Woodward heading north.

Chair Clein said he liked the plans overall.

Mr. Koseck said the plans would beautify the area and expressed some concern about the impact of the proposed loss of parking on nearby retailers.

Mr. Emerine agreed with Mr. Boyle and Ms. Whipple-Boyce. He also said that while parking is important, pedestrian safety is paramount, opining that the proposed crossings and bump-outs would be a needed improvement.

CCE Surhigh said the City was studying whether to include electric vehicle charging stations along this stretch of S. Old Woodward.

Mr. Share and Chair Clein both recommended that EV charging stations not be installed along S. Old Woodward. Mr. Share explained that the amount of charge that could be gained would be limited and that the parking turnover would be decreased if stations were installed there. Chair Clein noted that if EV charging stations were installed in the area being considered they would have to be removed for the proposed master plan changes.

Ms. Wolf confirmed that none of the sidewalks would be narrower than eight feet.

Chair Clein expressed comfort with the proposed parking space removals as long as Ms. Kroll and the City's Engineers study and approve of the likely traffic and parking impacts on the area and on the nearby residential neighborhoods.

### **08-123-21**

#### **G. Special Land Use Permit Review and Final Site Plan & Design Review**

**1. 160 W. Maple (Dick O'Dows),** Request for a Special Land Use Permit and Revised Final Site Plan and Design Review to consider approval of building design changes and a new outdoor dining plan.

CP Dupuis presented.

In reply to Board inquiry, Chris Longe, architect, specified that the owner was committing to maintaining the minimum of five feet pedestrian space in the front of the building.

The Board advised Mr. Longe that they would add a condition to their motion requiring that the aforementioned five feet be maintained.

The Board also noted that the plans needed to include the planters in the rear outdoor dining area.

Mr. Jeffares said he once saw a garage truck maneuver near the outdoor dining area in the rear with no issue.

Both Mr. Jeffares and Mr. Boyle expressed approval of the layout of the outdoor dining area in the rear despite the Engineering Department's comments.

#### **Motion by Mr. Share**

**Seconded by Mr. Williams to recommend approval to the City Commission for the Final Site Plan & Design Review for 160 W. Maple – Dick O' Dows – with the following conditions:**

- 1. The applicant must submit glazing calculations and specification sheets with Visual Light Transmittance figures for the new storefront glazing;**
- 2. The Planning Board approves outdoor dining in the Willits Alley Active Via with the final drawings to show the planters on the northern edge;**
- 3. All outdoor activity must cease at the close of business;**

- 4. The final drawings must show all tables and chairs in the front as located within the confines of the existing private property and not in the public right-of-way;**
- 5. The applicant must comply with the requests of all City Departments; and,**
- 6. The Planning Board approves the existing projection into the right-of-way of three feet, four inches.**

**Motion carried, 7-0.**

VOICE VOTE

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

Nays: None

**Motion by Mr. Share**

**Seconded by Mr. Williams to recommend approval to the City Commission for the Special Land Use Permit for 160 W. Maple – Dick O’ Dows – with the following conditions:**

- 1. The applicant must submit glazing calculations and specification sheets with Visual Light Transmittance figures for the new storefront glazing;**
- 2. The Planning Board approves outdoor dining in the Willits Alley Active Via with the final drawings to show the planters on the northern edge;**
- 3. All outdoor activity must cease at the close of business;**
- 4. The final drawings must show all tables and chairs in the front as located within the confines of the existing private property and not in the public right-of-way;**
- 5. The applicant must comply with the requests of all City Departments; and,**
- 6. The Planning Board approves the existing projection into the right-of-way of three feet, four inches.**

**Motion carried, 7-0.**

VOICE VOTE

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

Nays: None

Mr. Share recommended that the Board study the difference between active and destination vias at some point in the future.

**08-124-21**

## **H. Community Impact Study Review and Preliminary Site Plan Review**

**Motion by Mr. Williams**

**Seconded by Mr. Jeffares to postpone the CIS review for 245 – 325 S. Eton Street – District Lofts Phase III for a new four story mixed use building to September 9, 2021.**

**Motion carried, 7-0.**

VOICE VOTE

Yeas: Williams, Jeffares, Clein, Whipple-Boyce, Share, Boyle, Koseck  
Nays: None

**Motion by Mr. Williams**

**Seconded by Mr. Boyle to postpone the Preliminary Site Plan review for 245 – 325 S. Eton Street – District Lofts Phase III for a new four story mixed use building to September 9, 2021.**

**Motion carried, 7-0.**

VOICE VOTE

Yeas: Williams, Boyle, Koseck, Jeffares, Clein, Whipple-Boyce, Share  
Nays: None

**08-125-21**

**I. Extension of Final Site Plan & Design Review**

**1. 469 – 479 S. Old Woodward (Former Mountain King & Talmer Bank) – Request to extend Final Site Plan expiring on September 23, 2021.**

Chris Longe, architect, explained that there had been extenuating circumstances, including the Covid-19 pandemic, that had caused the project's delay. He stated that the applicant team remained committed to the project.

**Motion by Mr. Williams**

**Seconded by Mr. Jeffares to extend the Final Site Plan for 469 – 479 S. Old Woodward for one year.**

**Motion carried, 7-0.**

VOICE VOTE

Yeas: Williams, Jeffares, Clein, Whipple-Boyce, Share, Boyle, Koseck  
Nays: None

**08-126-21**

**J. Miscellaneous Business and Communications**  
**a. Communications**

CP Dupuis reviewed a request from All Seasons to add three non-cutoff light fixtures to their plans. He stated that the ordinance specifies that such a request must be approved by the Board and could not be administratively approved.

The Board was fine with the proposal.

**Motion by Mr. Williams**

**Seconded by Mr. Boyle to approve the use of the three proposed non-cutoff light fixtures subject to the administrative approval of any other required documents.**

**Motion carried, 7-0.**

VOICE VOTE

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

Nays: None

**b. Administrative Approval Correspondence**

**c. Draft Agenda for next meeting**

**d. Other Business**

**Motion by Mr. Williams**

**Seconded by Ms. Whipple-Boyce to have the September 23, 2021 meeting include both site plan reviews and a study session.**

**Motion carried, 7-0.**

VOICE VOTE

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

Nays: None

**08-127-21**

**K. Planning Division Action Items**

**a. Staff Report on Previous Requests**

**b. Additional Items from tonight's meeting**

**08-128-21**

**L. Adjournment**

No further business being evident, the Chair adjourned the meeting at 9:23 p.m.

Nicholas Dupuis  
City Planner