



AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY OCTOBER 11, 2023 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

The City recommends members of the public wear a mask if they have been exposed to COVID-19 or have a respiratory illness. City staff, City Commission and all board and committee members must wear a mask if they have been exposed to COVID-19 or actively have a respiratory illness. The City continues to provide KN-95 respirators and triple layered masks for attendees.

- A.** Roll Call
- B.** Review and Approval of the Minutes of the Regular Meeting of **September 27, 2023**
- C.** Chairpersons' Comments
- D.** Review of the Agenda
- E.** Unfinished Business
- F.** Rezoning Applications
- G.** Community Impact Studies
- H.** Special Land Use Permits
- I.** Site Plan & Design Reviews
 - 1. **35001 Woodward – Site Plan Extension Request**
- J.** Study Session
 - 1. **Dumpster Screening Materials – Study Session**
 - 2. **Mixed-Use Requirements – Study Session**
- K.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - i. **259 E. Frank**
 - 2. Communications
 - i. **Project Updates**
 - ii. **City Commission Joint Meeting – October 23, 2023**
 - 3. Administrative Approval Correspondence
 - i. **September 22, 2023 – October 6, 2023**
 - 4. Draft Agenda – **October 25, 2023**
 - 5. Action List – **2023**
 - 6. Other Business
- L.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
- M.** 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) 644-5115 (for the hearing impaired) 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).

City Of Birmingham
Regular Meeting Of The Planning Board
September 27, 2023
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on September 27, 2023. Chair Clein convened the meeting at 7:30 p.m.

A. Roll Call

Present: Chair Scott Clein, Vice-Chair Bryan Williams; Board Members Stuart Jeffares, Bert Koseck, Daniel Share, Janelle Whipple-Boyce; Alternate Board Members Jason Emerine, Nasseem Ramin (non-voting); Student Representative Asher Kaftan, Matthew Wiegand

Absent: Board Member Robin Boyle

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

B. Approval Of The Minutes Of The Regular Planning Board Meeting of September 13, 2023

09-36-23

Motion by Mr. Williams

Seconded by Mr. Koseck to approve the minutes of the Regular Planning Board meeting of September 13, 2023 as presented.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

C. Chair's Comments

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

D. Review Of The Agenda

E. Unfinished Business/Courtesy Review

F. Rezoning Applications

G. Community Impact Studies

- 1. 380 S. Bates – Community House – Request for Community Impact Study Review for New 3- Story Addition to Existing Building in Downtown Birmingham.**

The Chair explained that this item and Item I1 would be postponed to allow for the rezoning issues regarding the property to be resolved first.

Mr. Share said that if the Board did not make its recommendation on rezoning until the last meeting in October, the decision from the Commission on the rezoning may not be available by the Board's first meeting in November. He recommended the Board consider postponing this item and Item I1 to the Board's December meeting.

The Chair and Mr. Williams noted that this item and Item I1 could be discussed more generally at the November meeting. Mr. Williams noted that CIS and Preliminary Site Plans are rarely resolved at one meeting, and consequently these two items would likely be discussed at the December meeting as well.

09-37-23

Motion by Mr. Williams

Seconded by Mr. Emerine to change the November 8, 2023 meeting to a hybrid meeting to allow for site plan approvals and study session items.

Motion carried, 6-1.

VOICE VOTE

Yeas: Clein, Williams, Emerine, Jeffares, Koseck, Whipple-Boyce

Nays: Share

09-38-23

Motion by Mr. Williams

Seconded by Mr. Emerine to postpone 380 S. Bates – Community House – Request for Community Impact Study Review for New 3- Story Addition to Existing Building in Downtown Birmingham and 380 S. Bates – Community House – Request for Preliminary Site Plan Review for New 3- Story Addition to Existing Building in Downtown Birmingham to November 8, 2023.

Motion carried, 6-1.

VOICE VOTE

Yeas: Clein, Williams, Emerine, Jeffares, Koseck, Whipple-Boyce

Nays: Share

The Chair thanked PD Dupuis and the applicant.

H. Special Land Use Permits and Site Plan & Design Reviews

I. Site Plan & Design Review

- 1. 380 S. Bates – Community House – Request for Preliminary Site Plan Review for New 3- Story Addition to Existing Building in Downtown Birmingham.**

Postponed to November 8, 2023 per vote 09-38-23.

J. Study Session

K. Miscellaneous Business and Communications

1. Pre-Application Discussions

i. 34952 Woodward – Design Update

PD Dupuis and the applicant presented the proposed changes and answered informational questions from the Board.

The Board provided feedback on the proposed changes.

For the BZA, individual Board members stated:

- The proposed changes represented an improved design. The dominant retail was beneficial. The proposed changes would generally meet the intent of the ordinance. The change in the overall building height would not be noticeable to people at the ground level; and,
- The design is better. The changes did not seem to be out of line with the intent of the ordinance.

2. Communications

i. Project Updates

ii. City Commission Joint Meeting – October 23, 2023

Mr. Williams requested the joint meeting include direction from the Commission regarding the implementation of the 2040 Plan.

3. Administrative Approval Correspondence

4. Draft Agenda

5. Action List – 2023

6. Other Business

L. Planning Division Action Items

a. Staff Report on Previous Requests

b. Additional Items from tonight's meeting

M. Adjournment

No further business being evident, the Chair commended everyone present and adjourned the meeting at 8:23 p.m.



Nick Dupuis, Planning Director



Laura Eichenhorn, City Transcriptionist

September 21, 2023

Nicholas Dupuis
Planning Director
City of Birmingham, Mi

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

Dear Mr. Dupuis,

Please treat this letter as a formal request from Hesham E. Gayar Managing Member of Select Commercial Assets Hospitality, LLC, for an extension of the Final Planning Commission approval for the property listed above. Work to complete this project is on going and we respectfully ask for this extension to allow time to complete this process so we may move forward with construction of the project.

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

Regards,



Kevin Biddison AIA
Biddison Architecture



MEMORANDUM

Planning Division

DATE: October 11, 2023

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Dumpster Screening Materials

Over the years, the Planning Board has grappled with design proposals for dumpster enclosures that do not meet the technical requirements of the Zoning Ordinance, but have generally offered a high quality design and material composition that appeared to meet the intent of the ordinance when it was written. As it stands, an applicant that wished to utilize alternate materials would be required to acquire a variance from the Board of Zoning Appeals. The language is as follows:

Article 4, Section 4.54 (B)(8)

When required to screen a trash receptacle or ground-mounted mechanical or electrical equipment, a masonry screenwall with wood gates. The screenwall shall match the material of the principal building.

On July 10, 2019 ([Agenda](#) – [Minutes](#)), the Planning Board held its last study session on the topic, which had been discussed or several months prior. At that time, the conversations appeared to be more detailed, and were revolving around the level of screening that certain materials might offer, and how far the City should go in regulating opening sizes.

At this time, the Planning Board has expressed interest in reviving the conversation and opening up the standards to permit more materials for dumpster screening enclosures.

Study Session #1

On August 9, 2023 ([Agenda](#) – [Minutes](#)), the Planning Board reviewed proposed ordinance amendments that expanded the permitted materials for gates on dumpster enclosures. In conversation, the Planning Board expressed an interest in relaxing the strict requirements for capped masonry and generally including provisions that were flexible and consistent, but also emphasized durability and quality.

Study Session #2

On September 13, 2023 ([Agenda](#) – [Minutes](#)), the Planning Division reworked the proposed ordinance language to relax the strict material requirements while still emphasizing durability and quality. In addition, the Planning Division performed some local ordinance research to gain an understanding of what other communities in Southeast Michigan require in terms of dumpster screening. Finally, the Planning Board discussed specific design recommendations to address design considerations as it relates to rodents and washouts. The Planning Board held robust discussions on material durability as it relates to the different forms of enclosures and expressed an interest in potentially providing separate requirements for ground mounted mechanical units and waste receptacles. There was additional conversation about the height provisions proposed stemming from concerns about the visibility of waste receptacles as they are changed.

Study Session #3

The Planning Division has provided language below that now would separate waste receptacle screening requirements and ground-mounted mechanical screening requirements to address the concerns discussed by the Planning Board. Due to the perceived issues with damage to alternative materials on waste receptacle enclosures (non-gate components), the requirement for waste receptacle screening remains as capped masonry only.

Sample Motion Language

I move that the Planning Board set a public hearing date of November 8, 2023 to review amendments to Article 4, Section 4.54 of the Zoning Ordinance.

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CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 4, SECTION 4.54, SCREENING STANDARDS, TO AMEND DUMPSTER SCREENING REQUIREMENTS.

-
- A. Purpose: The purpose of this section is to require a barrier, capable of containing noise, vehicular lights, visual disarray, debris and other factors detrimental to the health, safety and welfare of the community, between an open parking station, outdoor storage, dumpsters and adjacent properties. Flexibility in the materials, size, height and placement of walls is permitted in order to allow architectural harmony and usable open space and to accomplish a unified design.
- B. Screenwall Descriptions: Screenwall as required by this section shall mean:
1. When required along a street line, alley, passage or mixed passage, a masonry wall with an exterior face of brick, precast aggregate panels, sculptured block, stone, architecturally treated concrete or other materials acceptable to the Planning Board which are demonstrated to be durable, easily maintained, and provide a similar permanent visual barrier.
 2. When required, a screenwall of capped masonry.
 3. Screenwalls shall be so constructed that the lower 32 inches in height, as measured from the finished parking lot surface, or ground surface on the outside of the screenwall, whichever is higher, shall be solid. Openings above 32 inches may be permitted provided the intent of the Zoning Ordinance is maintained and further provided the openings are not larger than 64 square inches and do not exceed 33% of the surface of the screenwall.
 4. Where a screenwall is adjacent to a vehicular or pedestrian accessway, the screenwall shall be so de- signed and constructed as to not constitute a hazard to vehicular or pedestrian traffic.
 5. Screenwalls along a street shall be so designed as to not form a continuous barrier. Depending upon the length, location and ground contour, a break in the screenwall is required every 50 to 100 feet. Such break shall be a minimum of 10 feet long. A screening wall of a material permitted under Section 4.54(C)(1) shall be

constructed for the full length of the required break and shall be located a minimum of 2 feet to either the front of or the rear of the principal screenwall. The Planning Board may, upon Site Plan Review, require the screenwall spanning the break to be attached to the principal screenwall. Landscaping is required in any area created on the street side of the screenwall by the required break and shall be subject to the requirements of Section 4.54(D)(1).

6. When required along the front, side or rear of any building, a masonry screenwall shall match or complement the exterior of the building.
7. When required along the side or rear lot line of any parking facility which immediately adjoins the rear lot line of property located in a residential zone, a masonry screenwall of 6 feet. When required along the side or rear lot line of any parking facility which adjoins an alley or passage adjoining the rear line of property located in a residential zone, a masonry screenwall of 3 feet.
- ~~8. When required to screen a trash receptacle or ground-mounted mechanical or electrical equipment, a masonry screenwall with wood gates. The screenwall shall match the material of the principal building.~~
- 8. When required to screen ground-mounted mechanical or electrical equipment, a screenwall constructed of high quality and durable materials such as masonry, wood, wood composite, metal or other materials acceptable to the Planning Board, the height of which shall match the height of the unit(s) being screened.**
- 9. When required to screen a solid waste receptacle a screenwall that is designed to be durable, easily maintained, and provide a complete and permanent visual barrier. Screenwalls for solid waste receptacles shall meet the following requirements:**
 - a. Screenwalls shall measure at least 6 feet in height, or [roughly](#) equal to the height of the receptacle or equipment being screened, whichever is greater around all sides of the screening enclosure, including the side for access. In no case shall the screenwall exceed the height of the object(s) being screened by more than 1 foot;**
 - b. Screenwalls shall be constructed of capped masonry with access gates constructed of high quality and durable materials such as, wood, wood composite, metal or other materials acceptable to the Planning Board. Screenwall materials shall complement the material of the principal building;**
 - c. The standards outlined in [Chapter 90](#) of the Birmingham City Code shall apply to all waste receptacles in the City of Birmingham.**

C. Screening Requirements: Screening shall be placed as follows:

1. Along the side or rear line of any parking facility which immediately adjoins the side line of property zoned to a residential district under the Zoning Ordinance, provided that the screenwall along the side of a parking facility located in the parking district shall not extend further than the front setback area of the abutting residential district.
2. Along the side or rear lot line of any parking facility which immediately adjoins the rear line of property located in a residential district.
3. Along the front or side of any parking facility that abuts a street, alley, passage or mixed passage.
 - a. When the property being utilized for the parking facility is zoned residential, the screenwall shall be placed along the setback line.
 - b. When the property being utilized for the parking facility is zoned parking, and abuts a residential district, the screenwall shall be placed along the setback line applicable to the abutting residential district.
 - c. When the property being utilized for the parking facility is zoned to a business or industrial district, and abuts a residential district, the screenwall shall be placed along the setback line applicable to the abutting residential zoning for that district.
 - d. When the property being utilized for a parking facility is zoned to a business or industrial district, and abuts business or industrial district, the screenwall shall be placed along the setback line; however, upon review of the Site Plan, the Planning Board may approve an alternate location for the screenwall in order to maximize the screening effect of the parking facility, or may modify the screenwall requirement by approving an evergreen screen in its place.
4. Along the front, side or rear of any parking facility underneath a building which is visible to the general public in a manner which screens the parking from public view.
5. Adjacent to ground-mounted mechanical or electrical equipment which is visible to the public in a manner which obscures the receptacle and equipment from public view.
6. In the B2B district, along the side or rear lot line of any parking facility located on the side of the building in the B2B district and immediately adjoining the rear line or an alley adjoining the rear line of property located in a residential district.

7. In all multiple-family districts and all office and business districts, the screening of trash containers shall be required ~~and shall be constructed of 6-foot masonry screenwall with a gate. All materials shall match or complement the exterior of the building.~~
8. Rooftop mechanical and other equipment shall be limited, positioned and screened to minimize views from adjacent properties and public rights-of-way.
 - a. To minimize the visual impact of such equipment from adjacent elevated views all rooftop mechanical equipment and associated screening must be removed if:
 - i. The equipment is inoperable and not serviceable; or
 - ii. The equipment is obsolete and not in service, or
 - iii. The equipment is not being utilized for its intended purpose.
 - b. To minimize the visual impact of such equipment from other points of observation, rooftop mechanical and other equipment shall be obscured by a screenwall composed of materials compatible with the building or by landscaping demonstrated to provide an effective permanent visual barrier.
 - c. Any screenwall barrier:
 - i. Shall, to the best extent possible, not extend above the top edge of an imaginary plane extending upward no more than 45 degrees from the eave line; and
 - ii. Shall not exceed 10 feet in height.
 - iii. For buildings sharing a lot line with a building of the same or greater height, such rooftop screenwalls are not required to be set back from the main building wall along the common lot line.

D. Miscellaneous Screening Requirements:

1. When screening is placed along a front setback line, the resulting front yard shall be void of all parking and storage and shall be planted and otherwise landscaped and maintained by the owner.
2. Any driveway furnishing access to a parking facility shall be considered as part of the parking facility for the purposes of the Zoning Ordinance.
3. Where two parking facilities adjoin each other and the common boundary is either a side or rear line, no screening is required along the line common to both parking facilities.

4. All screenwalls shall be maintained in good order. Plant materials in vegetative screenwalls shall be maintained in a healthy condition. Dead or diseased plant materials shall be replaced with healthy materials of like size and kind.
- E. Review: The design, height and location of all screening shall be reviewed by the Planning Board.

ORDAINED this _____ day of _____, 2023 to become effective 7 days after publication.

Therese Longe, Mayor

Alex Bingham, City Clerk



MEMORANDUM

Planning Division

DATE: October 11, 2023

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Mixed Use Requirements

As development applications have increased in the Triangle District of Birmingham, the Planning Board has expressed concerns over the proportions of mixed use buildings, specifically as it relates to the opportunity for bonus stories.

In the Triangle District, buildings or portions of buildings that are 100 feet or more from a single-family residential zoning district may have additional building where 2 or more of the following are provided as part of the development:

1. A multi-level parking structure that offers parking available to the public at the rate of one parking space available to the public for every 300 square feet of building floor area allowed in the additional stories. Where additional building height is proposed without additional stories, then the parking shall be based upon the building floor area in the top floor. The applicant may provide payment-in-lieu to the City for construction of parking in a public parking deck at an offsite location. Parking rates will be calculated as follows:
 - a. The rate of \$27,500 per space to match the current cost per above-ground structured parking space in 2018.
 - b. Starting July 1st, 2019, the rate of payment per parking space shall be increased by 3 percent each year.
2. Dedication of an improved public plaza with an area that is at least equal to 25% of the additional floor area of building area allowed in the additional stories. Where additional building height is proposed without additional stories, then public plaza space shall be based upon 25% of the building floor area on the top floor. The location and design of the plaza shall be approved by the Planning Board and shall be in accordance with the Triangle District Urban Design Plan.
3. **A mixed use building that provides residential dwelling units above first-floor commercial where a mini- mum of 50% of the buildings floor area is residential.**
4. Leadership in Energy and Environmental Design (LEED) building design, accredited based upon the rating system of the United States Green Building Council.

5. Transfer of development rights for additional floor area that zoning would permit on a site containing an historic building or resource designated under Section 127 of the Birmingham Code. The development rights shall be dedicated through recording a conservation easement on the designated historic resource, which shall be reviewed and approved by the Historic District Commission.

Using figures from recent development proposals, the percentage of commercial area provided has been less than 5 percent of total gross floor area, and in one case less than 2 percent. While the requirement noted above contains a clear percentage threshold for residential floor area, it does not address the commercial floor area.

Study Session #1

On August 9, 2023 ([Agenda](#) – [Minutes](#)), the Planning Division provided draft ordinance amendments for discussion at the Planning Board level. The amendment added a percentage required for commercial uses alongside the minimum residential percentage. During the discussion, it was determined that adding a simple broad percentage may not address the issue fully in that the it would not meet what the Planning Board felt was the intent of the [Triangle District Urban Design Plan](#). The Planning Board directed the Planning Division to explore percentage requirements for the first floor excluding parking, frontage lines, and the type of commercial uses that the City would prefer to see in these spaces.

Study Session #2

On September 13, 2023 ([Agenda](#) – [Minutes](#)), the Planning Division revised the proposed ordinance language to better capture the intent of the changes requested in terms of activation, and provided more clarity on where/what the commercial space would be, and what size the commercial space should be. The Planning Board revisited the LEED incentive and expressed some desire to improve that condition while we have the ordinance language open.

Study Session #3

At this time, the Planning Division has provided minor revisions based on the discussions at the Planning Board, which were based on what activation really means in the spirit of the Triangle District Urban Design Plan, and what we should be looking for on the ground floors of buildings in the Triangle District. The Plannig Division also committed to bringing more information on the mixed-use buildings that have been constructed, approved, or proposed in the Triangle Districct, as well as more information on LEED certification. As for the mixed-use buildings, the composition of the first floor on these buildings is as follows:

Property	Commercial Area	Total Area	Percentage Commercial
34952 Woodward	12,421	17,946	69%
750 Forest	913	2,571	36%
707 S. Worth	4,055	43,874	9%

Sample Motion Language

I move that the Planning Board set a public hearing date of November 8, 2023 to review amendments to Article 3, Section 3.08(E) of the Zoning Ordinance.

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 3, SECTION 3.08, HEIGHT AND PLACEMENT REQUIREMENTS, TO ADD COMMERCIAL FLOOR AREA REQUIREMENTS TO BONUS HEIGHT PROVISION.

- E. Additional Building Height: Buildings or portions of buildings that are 100 feet or more from a single-family residential zoning district may have the additional building height (in number of stories and/or feet of height) noted in Section 3.08B, Section 3.08C, and Section 3.08D where 2 or more of the following are provided as part of the development. Additional stories shall be stepped back at a 45-degree angle from the top story allowed by right without the height bonus.
1. A multi-level parking structure that offers parking available to the public at the rate of one parking space available to the public for every 300 square feet of building floor area allowed in the additional stories. Where additional building height is proposed without additional stories, then the parking shall be based upon the building floor area in the top floor. The applicant may provide payment-in-lieu to the City for construction of parking in a public parking deck at an offsite location. Parking rates will be calculated as follows:
 - a. The rate of \$27,500 per space to match the current cost per above-ground structured parking space in 2018.
 - b. Starting July 1st, 2019, the rate of payment per parking space shall be increased by 3 percent each year.
 2. Dedication of an improved public plaza with an area that is at least equal to 25% of the additional floor area of building area allowed in the additional stories. Where additional building height is proposed without additional stories, then public plaza space shall be based upon 25% of the building floor area on the top floor. The location and design of the plaza shall be approved by the Planning Board and shall be in accordance with the Triangle District Urban Design Plan.
 3. A mixed use building that provides residential dwelling units above first-floor commercial where a minimum of 50% of the buildings floor area is residential **and a minimum of 25% of the buildings first floor area is commercial, excluding areas provided for parking or circulation. All commercial areas**

shall be located on a frontage line and contain a minimum depth of 20 ft. from the storefront.

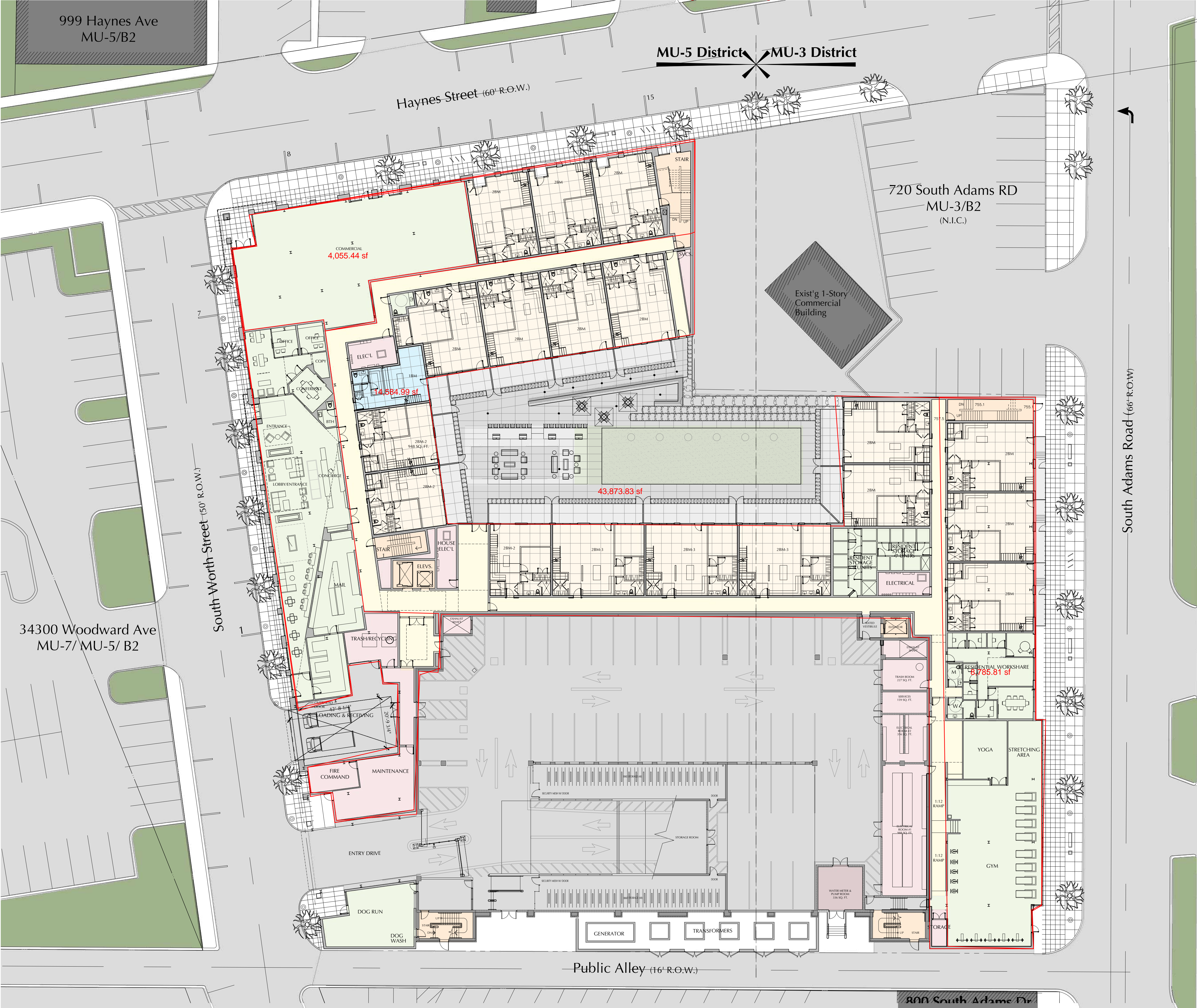
4. Leadership in Energy and Environmental Design (LEED) building design, accredited based upon the rating system of the United States Green Building Council, **at a level of Gold or higher.**
5. Transfer of development rights for additional floor area that zoning would permit on a site containing an historic building or resource designated under Section 127 of the Birmingham Code. The development rights shall be dedicated through recording a conservation easement on the designated historic resource, which shall be reviewed and approved by the Historic District Commission.

ORDAINED this _____ day of _____, 2023 to become effective 7 days after publication.

Therese Longe, Mayor

Alex Bingham, City Clerk

FHS BIRMINGHAM
Birmingham, Michigan 48009



LEGEND

- PARKING
- RETAIL + RESIDENT SERVICES
- ANCILLARY
- EGRESS
- CIRCULATION
- STUDIO
- 1 BEDROOM
- 1 BEDROOM + DEN
- 1 BEDROOM - 2 LEVELS
- 2 BEDROOM
- 2 BEDROOM + DEN
- 2 BEDROOM - 2 LEVELS
- 2 BEDROOM + DEN - 2 LEVELS
- 3 BEDROOM

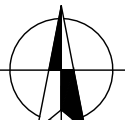
UNIT DATA

Type	# of Units						Unit Mix	
	Lvl 1	Lvl 2	Lvl 3	Lvl 4	Lvl 5	Lvl 6	Total	%
Studio (S, S-2)	0	2	2	0	0	0	4	2.5%
1 Bedroom (1B, 1BC)	0	2	2	7	2	4	17	10.8%
1 Bedroom + Den (1BD, 1BD-2, 1BDC)	0	17	16	9	8	6	56	35.7%
1 Bedroom, 2 Levels (1BM)	1	0	0	0	0	0	3	1.9%
2 Bedroom (2B, 2B-2)	0	6	6	8	2	7	29	18.5%
2 Bedroom + Den (2BD, 2BD-2, 2BDC)	0	6	7	7	6	1	27	17.2%
2 Bedroom, 2 Levels (2BM, 2BM-2, 2BM-3)	18	0	0	0	0	0	16	10.2%
3 Bedroom (3BM)	0	1	1	1	1	1	5	3.2%
Total	19	34	34	32	19	19	157	100%

TOTAL PARKING
266 SPACES
(12 BARRIER FREE) 1.71/UNIT

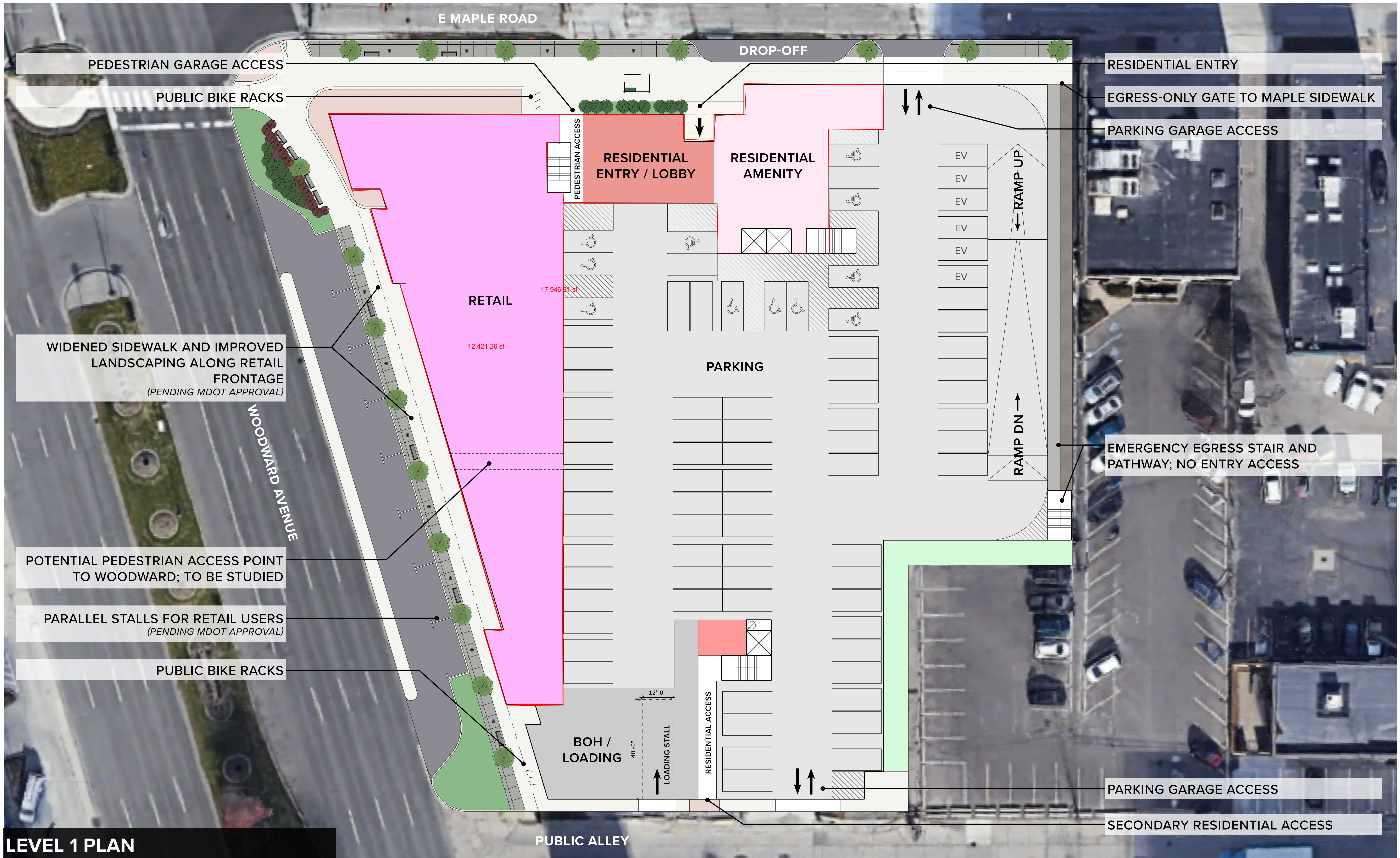
TOTAL BIKE STORAGE
96 SPACES

TOTAL RESIDENT STORAGE
129 UNITS



1ST LEVEL
(AMENITIES/APARTMENTS)

CHRISTOPHER J LONGE AIA
ARCHITECTURE
INTERIORS
124 Peabody, Birmingham, Michigan 48009 248.258.6940





MEMORANDUM

Planning Division

DATE: October 6th, 2023

TO: Planning Board Members

FROM: Brooks Cowan, Senior Planner

APPROVED: Nicholas Dupuis, Planning Director

SUBJECT: 259 E Frank Street – Informal Review for Rezoning

259 E. Frank Street consists of a single story office building with three tenant spaces located at the corner of Frank & Purdy, across from Barnum Park. The property is zoned R-3 Single Family Residential – therefore the structure and the three office uses currently operate as legal nonconformities.

The subject property was purchased in the fall of 2021 out of a court ordered receivership. The new owner has inquired about signing a new tenant with a non-office user. Given the parameters of legal non-conformities, the owner must pursue a rezoning or a use variance to occupy the space with a non-office user, hence the applicant is requesting feedback from the Planning Board regarding a potential rezoning.

Should the owner choose to pursue a rezoning, City staff recommends the B1 Neighborhood Business District as the most reasonable request. The newly adopted 2040 Master Plan identifies this property as a "[Commercial Destination](#)" (pg. 42) site in the [Future Land Use Map](#) (pg. 14) recommendations, hence City staff finds the B1 Neighborhood Business District to be the most accommodating of its recommendations.

City staff discussed difficulties that the property faces, namely a lack of on-site parking. The adjacent streets are a mix of residential permit parking, 2 hour parking, and 3 hour parking around Barnum Park. The owner is aware that if the rezoning is successful, they will also be required to obtain a parking variance from the Board of Zoning Appeals for any new use.



MEMORANDUM

Planning Division

DATE: October 11, 2023

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 – Under construction
- 34965 Woodward – Peabody Redevelopment – Permitting, numerous extensions requested
- 35001 Woodward – Land lease executed by City Commission/Design development
- 707 S. Worth – Under construction
- 2225 E. 14 Mile – Our Shepherd – Under construction
- 36877 Woodward – Gasow Veterinary Hospital – Building demolished, permitting
- 243 Merrill – La Strada – Permitting/Construction
- 320 Martin – Birmingham Post Office – Design Development
- 185 N. Old Woodward – Bell Bistro – Permitting
- 460 N. Old Woodward – Wilders – Under construction
- 295 Elm St. – Forest Townhomes – Design Development
- 34350 Woodward – Fred Lavery Porsche – Public Hearing at the City Commission was tabled by the City Commission to afford the applicant and City Staff time to work out any issues. No new public hearing date set at this time
- 479 S. Old Woodward – Birmingham Tower – Permitting
- 245 S. Eton – Big Rock – Permitting and interior demolition
- 33866 Woodward – Polestar – Permitting/Design development

Ordinance Amendments/Master Planning

- Health Club/Studio Use in B4 Zone – Public Hearing set at City Commission for November 13, 2023.

Non-Planning Board Projects

- 185 Oakland – Belfor – Façade renovations, design development.
- 33680 Woodward – Petrucci Studio – Façade renovations, permitting.
- 163 W. Maple – Seven Daughters – Façade renovations, postponed indefinitely.
- 138 W. Maple – Blakeslee Building – Façade renovations.
- 172 N. Old Woodward – National Bank Building – Façade renovations.
- 120 W. Maple – Ford Building – Façade renovations
- 151 N. Eton – Façade and screening improvements

- Citywide Wayfinding and Signage Design Program Update – Corbin Design Group will be presenting final draft of the sign concepts to the Wayfinding and Branding Committee on 10/9/23.
- Historic Preservation Master Plan – In progress.

Sustainability & Climate Action Plan/Greenhouse Gas Emissions Inventory

- Next meeting – October 16, 2023
- Remaining planned Public Engagement
 - Municipal Round Tables (October-November)
 - Board/Commission Reports
- Greenhouse Gas Emissions inventory – In progress
- Sustainability and Climate Action Plan – In progress



AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY OCTOBER 25, 2023 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

The City recommends members of the public wear a mask if they have been exposed to COVID-19 or have a respiratory illness. City staff, City Commission and all board and committee members must wear a mask if they have been exposed to COVID-19 or actively have a respiratory illness. The City continues to provide KN-95 respirators and triple layered masks for attendees.

- A.** Roll Call
- B.** Review and Approval of the Minutes of the Regular Meeting of **October 11, 2023**
- C.** Chairpersons' Comments
- D.** Review of the Agenda
- E.** Unfinished Business
- F.** Rezoning Applications
 - 1. **380 S. Bates – Community House – Request to rezone property to extend C (Community) overlay district across entire parcel.**
- G.** Community Impact Studies
 - 1. **720 S. Adams – Request for Community Impact Study Review for New 5-Story Mixed-Use Building in the Triangle District.**
- H.** Special Land Use Permits
- I.** Site Plan & Design Reviews
 - 1. **720 S. Adams – Request for Preliminary Site Plan Review for New 5-Story Mixed-Use Building in the Triangle District.**
- J.** Study Session
- K.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - i. **Project Updates**
 - 3. Administrative Approval Correspondence
 - i. **October 6, 2023 – October 20, 2023**
 - 4. Draft Agenda – **November 8, 2023**
 - 5. Action List – **2023**
 - 6. Other Business
- L.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
- M.** 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) 644-5115 (for the hearing impaired) 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 NOVEMBER 8, 2023 – 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 **October 25, 2023**
- C.** Chairpersons' Comments
- D.** Review of the Agenda
- E.** Unfinished Business
- F.** Rezoning Applications
- G.** Community Impact Studies
 - 1. **380 S. Bates – Community House – Request for Community Impact Study Review for New 3-Story Addition to Existing Building in Downtown Birmingham.**
- H.** Special Land Use Permits
 - 1. **377 Hamilton Row – Birmingham Sushi – Request for Special Land Use Permit for Bistro with alcoholic beverage sales in Downtown Birmingham**
- I.** Site Plan & Design Reviews
 - 1. **380 S. Bates – Community House – Request for Preliminary Site Plan Review for New 3-Story Addition to Existing Building in Downtown Birmingham.**
- J.** Study Session
 - 1. **Dumpster Screening Materials – Study Session**
 - 2. **Mixed-Use Requirements – Study Session**
- K.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - i. **Project Updates**
 - 3. Administrative Approval Correspondence
 - i. **October 20, 2023 – November 3, 2023**
 - 4. Draft Agenda – **December 13, 2023**
 - 5. Action List – **2023**
 - 6. Other Business
- L.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
- M.** Adjournment

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Planning Board Action List – 2023

Topic	General Goals	City Commission Directive?	Quarter	Status	
				In Progress	Complete
2040 Master Plan	Adopt a new comprehensive master plan.	<input checked="" type="checkbox"/>	Ongoing	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B1 Neighborhood Business Uses	Consider adding additional commercial permitted uses in the B1 zone.	<input type="checkbox"/>	1 st (January-March)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mixed Use Requirements	Consider changing the requirements for mixed use in the Triangle District.	<input type="checkbox"/>	1 st (January-March)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Impervious Surface Definition	Clarify definition to promote the infiltration of storm water.	<input type="checkbox"/>	2 nd (April-June)	<input type="checkbox"/>	<input type="checkbox"/>
Lighting Standards	Review lighting standards and study residential districts to reduce light pollution and nuisance.	<input type="checkbox"/>	2 nd (April-June)	<input type="checkbox"/>	<input type="checkbox"/>
Health Club/Studio Use	Consider allowing health/fitness type activities in more areas of the City.	<input type="checkbox"/>	3 rd (July-September)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dumpster Enclosures	Expand the materials permitted/not permitted in dumpster enclosures.	<input type="checkbox"/>	3 rd (July-September)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Definitions	Revisit key definitions to address any challenges presented and clean up verbiage to aid Planning Staff.	<input type="checkbox"/>	4 th (October-December)	<input type="checkbox"/>	<input type="checkbox"/>

Next Up...

Topic	General Goals	City Commission Directive?	Quarter	Status	
				In Progress	Complete
Public Project Review	Place on joint meeting agenda to express concerns over the review process of public projects.	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>