

City Of Birmingham
Regular Meeting Of The Planning Board
Wednesday, March 22, 2023
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on March 22, 2023. Chair Clein convened the meeting at 7:30 p.m.

A. Roll Call

Present: Chair Scott Clein, Vice-Chair Bryan Williams; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Janelle Whipple-Boyce (left at 8:39 p.m.); Alternate Board Members Jason Emerine, Nasseem Ramin (not voting); Student Representatives Asher Kaftan, Matthew Wiegand

Absent: Board Member Daniel Share

Staff: Planning Director Dupuis; Senior Planner Cowan, City Transcriptionist Eichenhorn

B. Approval Of The Minutes Of The Regular Planning Board Meeting of March 8, 2023

03-11-23

Motion by Mr. Williams

Seconded by Mr. Koseck to approve the minutes of the Regular Planning Board meeting of March 8, 2023 as submitted.

Motion carried, 7-0

VOICE VOTE

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

Nays: None

C. Chair's Comments

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

D. Review Of The Agenda

The Chair noted that Item H1 on the evening's agenda would not be addressed since a Special Land Use Permit was no longer required based on the submitted plans.

E. Unfinished Business/Courtesy Review

F. Rezoning Applications

G. Community Impact Studies

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

I. Site Plan & Design Review

1. 479 S. Old Woodward – Birmingham Tower – Request for Revised Final Site Plan & Design Review for New 5-Story Mixed-Use Building (Postponed from January 25, 2023)

SP Cowan presented the item and answered informational questions from the Board.

Doraid Markus, co-owner of Birmingham Tower, spoke on behalf of the request.

Seeing no Board inquiry of Mr. Markus and no public comment, conversation returned to the Board for discussion.

Board members' comments regarding the plans were as follows:

- Extending the basement parking down to a second level was an improvement in the plans;
- The building would be beautiful and contextually appropriate;
- The plans needed to be revised for apartments nine, ten, and eleven on floors four and five so that an occupant would be able to get from the bedroom to the rest of the apartment; and,
- The architecture had been refined a bit from the prior proposal to positive effect.

Mr. Williams said he would support the project given the reduction of the parking space deficit and the project's overall value for the community. He also supported the Board of Zoning Appeals granting the parking variance.

Mr. Jeffares concurred, adding that the applicant's difficulties with parking were partially the City's responsibility. He noted this property was the only D4 property not included in the Parking Assessment District when it was created. He stated that the applicant put in extraordinary effort to reduce their parking deficit to ten spaces.

Mr. Boyle expressed hope that the proposal would receive approval.

The Chair said he saw no issue with the balconies extending a further two feet than would normally be allowed on Hazel and Old Woodward. He noted Woodward itself would be MDOT's jurisdiction regarding the balconies. He also offered his support for the variance given the constraints of the site and the small number of spaces requested.

In response to an inquiry from the Chair, the Board affirmed that it was unanimous in its support for the potential parking variance.

03-12-23

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to approve the Final Site Plan and Design Review of 479 S. Old Woodward subject to the following conditions:

- 1. The applicant revise the site plan to satisfy all off-street parking as required by the Zoning Ordinance or obtain one of the following:**
 - a. A parking variance from the Board of Zoning Appeals; or,**

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- b. A shared parking agreement approved by the Planning Board and recorded on the deed of each property involved;**
 - 2. The applicant coordinate with City staff to provide the required city standard streetscape elements including street trees, tree grates, street lights, benches and bike racks;**
 - 3. The applicant obtain approval for the balcony projections into the right-of-way from the City Commission through a lease agreement;**
 - 4. The applicant provide screening for the ground level transformer at the northeast corner of the building;**
 - 5. The applicant verify that the metal paneling does not exceed 10% of the buildings finish material; and,**
 - 6. The applicant comply with the requests of all City departments.**

Motion carried, 7-0

VOICE VOTE

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

Nays: None

2. 294 E. Brown – Brown St. Mixed Use – Site Plan Approval Extension Request

The Chair recused himself from the item, citing a business relationship with the owner. He asked VC Williams to assume facilitation of the meeting and left the room.

PD Dupuis summarized the item.

Seeing no questions or comments from the Board or public, the Vice-Chair invited a motion.

03-13-23

Motion by Mr. Boyle

Seconded by Mr. Jeffares to extend the site plan approval request for 294 E. Brown for one year from March 22, 2023.

Motion carried, 6-0.

VOICE VOTE

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

Nays: None

J. Study Session

K. Miscellaneous Business and Communications

The Chair returned and resumed facilitation of the meeting.

1. Pre-Application Discussions

PD Dupuis introduced the pre-application discussions.

i. 34952 Woodward & 690 E. Maple

Toby Veit, VP of Development with Ryan Companies, and Matt Stevens, architect with Ryan Companies, presented the pre-application proposal and answered informational questions from the Board.

The Board provided brief feedback on the proposal and noted that one piece of correspondence regarding the proposal was received and filed.

ii. 380 S. Bates – Community House

Victor Saroki, architect, Bill Seklar, President & CEO of The Community House, and Richard Rassel, attorney, presented the pre-application proposal. PD Dupuis and members of the applicant team answered informational questions from the Board.

The Board provided brief feedback on the proposal.

The Board asked PD Dupuis to resolve any relevant legal questions with the City Attorney before the proposal returned for review.

Public Comment

Brian Manoogian, President of Townsend Park Condo Association, said he and the other members of the Townsend Park Condo Association were opposed to the proposed plans and proposed rezoning. He stated the Townsend Park Condo Association would be hiring an attorney to represent the Association's interests at future discussions of the Community House's plans.

- 2. Communications**
- 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 adjourned the meeting at 9:23 p.m.



Nick Dupuis, Planning Director



Laura Eichenhorn, City Transcriptionist