

City Of Birmingham
Regular Meeting Of The Planning Board
October 25, 2023
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on October 25, 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, Bert Koseck, Daniel Share, Janelle Whipple-Boyce; Alternate Board Member Jason Emerine; Student Representatives Asher Kaftan, Matthew Wiegand

Absent: Board Member Stuart Jeffares; Alternate Board Member Nasseem Ramin

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

B. Approval Of The Minutes Of The Regular Planning Board Meeting of October 11, 2023

10-42-23

Motion by Mr. Boyle

Seconded by Mr. Williams to approve the minutes of the Regular Planning Board meeting of October 11, 2023 as amended.

Motion carried, 7-0.

VOICE VOTE

Yeas: Clein, Williams, Emerine, Koseck, Share, Boyle, 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

- 1. 380 S. Bates – Community House – Request to rezone property to extend C (Community) overlay district across entire parcel**

The Chair opened the public hearing at 7:34 p.m.

PD Dupuis presented the item and answered informational questions from the Board.

Victor Saroki, architect, presented the project.

Public Comment

Brian Manoogian said the Townsend Park Association supported the rezoning due to recent changes in the proposed site plan.

Brad Wolf, Chair of the Community Foundation Board, made a comment in support of the rezoning.

Rosie Cole supported further discourse before a decision on the rezoning would be reached.

Michael Geheb voiced support for the rezoning and requested continued discourse between the Community House's neighbors and the applicant team.

The Chair closed the public hearing at 7:45 p.m.

Board members' comments were as follows:

- The Board was not permitted to consider a proposed site plan as a factor in a recommendation for a rezoning request;
- The applicant team was commended for having regular and productive discourse with the Community House's neighbors;
- Evidence was not provided that the proposed use would not be possible within the current zoning;
- The present zoning allows for a community center and for a philanthropic use, both of which could describe the Community House;
- A rezoning would not seem necessary to preserve a property owner's rights;
- The applicant's presentation was well done;
- It is likely that the many changes, outside of the Board's purview, could be made to the Community House to increase its use without requiring rezoning;
- More information demonstrating that the requested higher density was necessary to ensure the financial sustainability of the Community House would have been beneficial;
- The only differences if this parcel were to be rezoned would be the bulk requirements and the need for a SLUP;
- The present zoning already complies with the 2016 Plan's and 2040 Plan's calls for this area to have a 'civic destination'; and,
- The proposed uses would be highly appropriate for the present zoning.

Rick Rattner, attorney, provided additional comments on behalf of the project.

10-43-23

Motion by Mr. Share

Seconded by Mr. Williams to recommend to the City Commission denial of the request to rezone the property at 380 S. Bates – The Community House – to extend the C (Community) overlay district based on findings of fact two, three, and five set forth in the Planning Division's memo. With respect to the issue identified in item one, the

Planning Board finds that the current zoning is not inconsistent with the intention of the master plan, and with respect to finding four, the Planning Board finds that the use of the property in R7 does not prevent the use of the property in question for those things usually associated with the benefits of ownership.

Mr. Koseck stated that showing how higher density was necessary to enable the Community House to meet programming demands would have been useful.

Mr. Boyle said this discussion was in line with discussions the Board has had with many other applicants. He said he looked forward to reviewing the Community House's plans in the future minus the proposed zoning change.

Public Comment

Bill Seckler, CEO of the Community House, said the applicant team could provide further information to the Board and asked that the vote be tabled.

Motion carried, 7-0.

ROLL CALL VOTE

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

Nays: None

The Chair noted the Commission would make the final decision on the item.

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

SP Cowan presented the item. John Marusich, architect, spoke on behalf of the project. Both answered informational questions from the Board.

The Board noted that a phase two ESA would be necessary.

10-44-23

Motion by Mr. Williams

Seconded by Mr. Share to accept the CIS as provided by the applicant for the proposed development at 720 S. Adams with the condition that the applicant provide the Planning Board prior to final site plan approval a phase two ESA that includes further investigation of the RECs identified in phase one.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

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

I. Site Plan & Design Review

1. 720 S. Adams – Request for Preliminary Site Plan Review for New 5-Story Mixed-Use Building in the Triangle District.

SP Cowan presented the item. John Marusich, architect, spoke on behalf of the project. Staff and Mr. Marusich both answered informational questions from the Board.

Board members' comments were as follows:

- There were many concerns about the parking layout, accessibility, and circulation. The building would likely require columns and some of the parking spaces would likely need to be removed or redesigned in some way;
- Dimensions for the parking would be necessary for further discussion. The site might not be able to be parked with its current design;
- There would need to be a delivery receiving area on the first floor and information on the circulation of deliveries between the loading zone and the delivery area should be clarified;
- Staff should return with information on whether the project's planned setbacks, glazing, and balconies would be permitted by ordinance;
- The applicant should provide information on where the stacked vehicles might go;
- Given the present designs, there would be an abrupt visual change between the design of this building and the neighboring ones. It would be welcome if the applicant endeavored to make 720 S. Adams, especially with regards to the corners of the building, more visually harmonious with its neighbors;
- The first-floor¹ Adams elevation was well designed. The portion of non-retail on Haynes was less desirable. The parking spaces on Haynes could be replaced with more retail. The location of the front door could be rethought;
- More detail on the dumpster and trash pickup would be necessary for final; and,
- Completing a LEED scoresheet would be necessary.

10-45-23

Motion by Mr. Williams

Seconded by Mr. Boyle to postpone consideration of the preliminary site plan for 720 S. Adams to Wednesday, December 13, 2023.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

10-46-23

Motion by Mr. Williams

¹As amended at the November 8, 2023 meeting.

Seconded by Mr. Share to change the procedure for the regular meeting of the Birmingham Planning Board scheduled for Wednesday, December 13, 2023 to include site plan and design review and study session.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

J. Study Session

K. Miscellaneous Business and Communications

- 1. Pre-Application Discussions**
- 2. Communications**
 - i. Project Updates**
- 3. Administrative Approval Correspondence**
- 4. Draft Agenda**
- 5. Action List – 2023**
- 6. Other Business**

There was preliminary discussion regarding how the Board might organize its approach to the 2040 Plan.

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 10:22 p.m.



Nick Dupuis, Planning Director



Laura Eichenhorn, City Transcriptionist