

**CITY OF BIRMINGHAM
 PLANNING BOARD ACTION ITEMS
 OF WEDNESDAY, FEBRUARY 8, 2017**

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<p>1. To consider the following amendments to Chapter 126, Zoning, of the Code of the City of Birmingham:</p> <p>TO AMEND ARTICLE 04, STRUCTURE STANDARDS, SECTION 4.75 SS02, TO ADD REGULATIONS FOR DORMERS PROJECTING FROM SECOND-STORY ROOFS ON SINGLE-FAMILY HOMES.</p> <p>TO AMEND ARTICLE 09, DEFINITIONS, SECTION 9.02, TO ADD A DEFINITION OF "ATTIC" AND TO AMEND THE DEFINITIONS OF "HABITABLE ATTIC" AND "STORY."</p> <p>Motion by Mr. Williams Seconded by Mr. Koseck to recommend approval to the City Commission the following Zoning Ordinance amendments:</p> <p>(a) Article 04, Structure Standards, Section 4.75 SS-02, to create limitations on the allowable size of dormers on single family homes; and (b) Article 09, definitions, section 9.02, to add a definition of "Attic" and to amend the definitions of "Habitable attic" and "Story" for consistency with the Michigan Residential Code.</p> <p>Motion carried, 7-0.</p>	2
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**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, FEBRUARY 8, 2017
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on February 8, 2017. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Member Lisa Prasad

Absent: Board Member Gillian Lazar; Alternate Board Member Daniel Share

Administration: Matt Baka, Sr. Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary
Bruce Johnson, Building Official
Mike Morad, Building Inspector
Scott Worthington, Asst. Building Official
Jeff Zielke, Building Inspector

02-22-17

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING
OF JANUARY 25, 2017**

**Motion by Mr. Boyle
Seconded by Mr. Koseck to approve the Planning Board Minutes of January 25,
2017 as presented.**

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: Lazar

02-23-17

CHAIRPERSON'S COMMENTS (none)

02-24-17

APPROVAL OF THE AGENDA (no changes)

02-25-17

PUBLIC HEARINGS

1. To consider the following amendments to Chapter 126, Zoning, of the Code of the City of Birmingham:

TO AMEND ARTICLE 04, STRUCTURE STANDARDS, SECTION 4.75 SS02, TO ADD REGULATIONS FOR DORMERS PROJECTING FROM SECOND-STORY ROOFS ON SINGLE-FAMILY HOMES.

TO AMEND ARTICLE 09, DEFINITIONS, SECTION 9.02, TO ADD A DEFINITION OF "ATTIC" AND TO AMEND THE DEFINITIONS OF "HABITABLE ATTIC" AND "STORY."

At 7:31 p.m. the chairman opened the public hearing that had been reset at the January 11, 2017 meeting.

Mr. Baka recalled at the request of City Staff, the Planning Board has been reviewing potential changes to the Zoning Ordinance that would alter the way that dormers are regulated on single-family homes.

On December 14, 2016 the Planning Board opened a public hearing to consider a recommendation to the City Commission on the draft language as amended at that meeting. At the public hearing additional language was suggested by the board that would require all dormers facing interior lot lines that are subject to regulation by the proposed language to be set back a minimum of 8 in. from the face of the second-floor façade below. In accordance with that suggestion, revised draft ordinance language was prepared that incorporates the comments made at the December 14, 2017 meeting.

The revised language was then reviewed at the January 11, 2017 Planning Board meeting and the Planning Board voted to reset and re-notice the hearing to the February 8, 2017 meeting in order to ensure that the new changes to the proposed amendment were properly noticed to the public.

Mr. Johnson stated these are some much needed regulations from the Building Department's perspective, especially for the plan reviewers. The current Zoning Ordinance lacks regulations for dormers on single-family homes. He is happy with the changes and feels the regulations will work well.

Motion by Mr. Williams

Seconded by Mr. Koseck to recommend approval to the City Commission the following Zoning Ordinance amendments:

(a) Article 04, Structure Standards, Section 4.75 SS-02, to create limitations on the

**allowable size of dormers on single family homes; and
(b) Article 09, definitions, section 9.02, to add a definition of “Attic” and to amend the definitions of “Habitable attic” and “Story” for consistency with the Michigan Residential Code.**

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: Lazar

The chairman closed the public hearing on dormers at 7:09 p.m.

02-26-17

STUDY SESSION ITEMS

1. Window Tinting Requirements

Mr. Baka noted that at their July 25, 2016 meeting, the City Commission identified two issues that they would like the Planning Board to consider. These issues were the clarification or elimination of the revision that allows window glazing to be "lightly tinted." Secondly the City Commission also asked the Planning Board to consider whether there should be a glazing requirement in alleys and passages that are subject to the Via Activation Overlay Zone.

Currently, the Via Activation Overlay standard does indicate a requirement for windows but does not set a specific percentage that is required. This would allow the Planning Board to evaluate projects on a case-by-case basis but does not provide a baseline or minimum amount of glazing that would be required in these spaces. The draft ordinance for building elevations with secondary entrances not on a frontage line would require 30% glazing on those elevations. The Planning Board may wish to consider a similar requirement in the vias.

Staff has conducted research with respect to window tinting and found there are three basic categories or ratings that are measured when evaluating the efficiency of glazing, which are as follows:

- U-factor - measures the rate of heat transfer (or loss). Predominately determined by the number of glass panes and the type of gas barrier sealed between those panes.
- Solar Heat Gain Coefficient ("SHGC") - measures how much heat from the sun is blocked. The lower the SHGC the more a product is blocking solar heat gain. SHGC can be controlled through tinting, reflective coatings or low-e coatings.
- Visible Transmittance ("VT") - measures how much light comes through a window. The higher the VT, the higher the potential for daylighting. VT is generally controlled with tinting and reflective coatings.

Modern technology has gotten to a point where low-e coatings that don't have a tint are effective in blocking solar heat gain. From that point of view, the board should not be concerned about whether or not they are affecting the Energy Code.

Comments received during the January 11, 2017 Planning Board meeting indicated general support for the use of clear glass only. However, the Planning Board requested Planning Staff to provide local examples of clear and tinted glass in the City and/or provide glass examples so that board members could view the levels of VT in person.

Mr. Baka passed around samples of clear and tinted glass. Also he identified recent local projects where clear glass and lightly tinted glass were used. Due to the ambiguity of the current glaze tinting regulations contained in the Zoning Ordinance, the City does not have any information on file as to the level of tinting that was applied to the examples provided in regards to VT. In general, 70% VT is considered light tinting.

Mr. Koseck announced he is in favor of clear glass on the first floor and lightly tinted on the floors above. Clear glass even has a green tint. It was discussed that the grey, black and bronze colors seem neutral. A light tint may not automatically be enough to deal with certain exposures to the sun. It may be necessary to use shades or blinds.

Ms. Whipple-Boyce was in favor of clear glass on all floors and indicated that most likely some sort of window treatment will be used. She likes the idea of evaluating the amount of glazing used in the vias on a case-by-case basis because of where back of the house uses may fall.

Mr. Baka said that with lightly tinted glazing there would be minimal filtration of the heat gain.

Ms. Ecker summarized the discussion. The board generally likes the idea of clear glass on the ground floor and some measure of grey or bronze tint allowed above. They prefer to keep the via glazing standards as they are and allow more glazing above.

Mr. Baka agreed to bring back some draft amendments at a future study session.

02-27-17

2. Review of Ad Hoc Rail District Report

Ms. Ecker reported that on January 11, 2016, the City Commission established the Ad Hoc Rail District Review Committee to study existing and future conditions and to develop a recommended plan to address parking, planning and multi-modal issues in the Rail District and along S. Eton Road ("the Rail Plan").

Over the past year, the Ad Hoc Rail District Review Committee has worked to identify issues in the Rail District and along S. Eton, and to develop a plan with recommendations to address parking, planning and multi-modal issues in the Rail District, as directed by the City Commission. The Ad Hoc Rail District Review Committee requested funds to hire a consultant to review some of the intersection

design concepts discussed by the Committee, and to conduct an analysis of parking in the study area.

Based on the Committee's direction, the findings outlined in the consultant's report, and the input of the public, the Ad Hoc Rail District Report requested by the City Commission was prepared. On January 8, 2017, the City Commission reviewed and approved the Report. The City Commission further directed that the Ad Hoc Rail District Report be forwarded to both the Multi-Modal Transportation Board for review, and also forwarded to the Planning Board for review and discussion regarding Recommendation 4: Encourage Shared Parking.

The report states that there is not a shortage of parking in the Rail District. There are 2,480 parking spaces in the District as a whole. Hazel, Bowers and Haynes are residential permit parking only and were not included in the study. The Planning Board has been asked by the City Commission to identify whether to streamline the shared parking calculations and approval process and/or recommend zoning incentives to further encourage shared parking.

Mr. Williams commented that the traffic between Lincoln and Maple Rd. is too fast and there needs to be a stop sign. To him the preferable spot would be on Hazel. There are a lot of young children in the neighborhood and it is dangerous for them.

Ms. Ecker discussed a Shared Parking Occupancy Rates Table provided by the Victoria Transport Policy Institute. The table lists all the types of uses that might be on a site and then it calculates what percentage of the parking is needed for that use at any given time. Therefore, the most parking that would ever be used because of the different peak use times is known, and that is what an applicant would have to provide on their site. Use of the table ensures that parking facilities are not overbuilt. However, the board is not yet seeing a true mixed-use building in the Rail District like in Downtown. Chairman Clein added that right now there is no incentive to share parking with a neighbor. Ms. Whipple-Boyce thought there may be simple things that this board can do to encourage shared parking.

Mr. Williams noted that a bigger problem than parking is traffic. The intersection at S. Eton and Maple Rd. will just get more congested when Whole Foods and the complex next to the Reserve open.

Mr. Boyle stated if there is a particular commercial parking problem in the southern part of the District, then this board needs to address it and come up with some ideas. Ms. Ecker said there will be suburban style development and less mixed-use, but there will not be a parking problem.

Discussion contemplated the possibility of allowing parking on both sides of Lincoln.

Chairman Clein summarized that it seems the board wants to look at parking regulations from the potential to incentivize design by allowing an easier shared-use calculation on a mixed-use site; and also discuss whether they are amenable to incentives between site owners and what mechanisms would make that easier.

Mr. Williams reiterated that he thinks parking is not the problem in this area. Traffic and congestion is the problem and safety is the biggest problem. Mr. Boyle thought this is an opportunity to complete the grid. The Eton Rd. Corridor Plan that was prepared by McKenna Associates recommended that there should be a N/S link between Lincoln and Cole on the east side of the site adjacent to the Swim Club and the new orthodontist.

Chairman Clein thought the Rail District Committee was not asked to deconstruct the Eton Rd. Corridor Plan or the Multi-Modal Plan, but to incorporate them and figure out how to jumpstart and implement them. His disappointment with the document is that the final recommendations did not incorporate all of the recommendations of the existing plans. However, he felt staff did an excellent job in preparing the report. Mr. Koseck added that walking under the viaduct can be very scary and that needs to be addressed somehow.

Ms. Whipple-Boyce, former chairperson of the Ad Hoc Rail District Review Committee, noted the Committee was comprised of a group of people with various backgrounds who all brought something different to the table. There were some great ideas that came out of it, such as ways to get across S. Eton. Additionally, a plaza at the busiest section of S. Eton was a great idea, along with a better crossing at Maple Rd.

02-28-17

3. Review of the Planning Board's 2017 Action List

Ms. Ecker said there has been direction from the City Commission to add the shared parking discussion to the list. In response to Mr. Williams, she replied the RFP for the Master Plan will likely be brought to the City Commission on February 27, 2017. Mr. Williams thought some of the items on the Action List would be covered by a comprehensive Master Plan. To him numbers 3 (Zoning Transition Overlay TZ-2) and 4 (City-wide Master Plan) should be flipped.

Mr. Williams continued that it would make sense to try to identify for the next meeting what items on the list will not be covered by the Master Plan. Mr. Boyle noted it is important to impress upon the City Commission that if they choose to go down the road of a Master Plan the staff is going to be very involved.

Chairman Clein said the board could consider Glazing Standards and Shared Parking while waiting for the Master Plan: 1) Master Plan, 2) Glazing, 3) Shared Parking. Everything else falls below that. Mr. Williams noted they should somehow get the neighborhood associations involved and find out what they view as their issues. Figure out how to involve them.

Mr. Jeffares commented that the City's technical system for making a presentation needs to be upgraded in the City Commission room, as well as the laptops.

02-29-17

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA (no public was left)

02-30-17

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

a. Communications

b. Administrative Approval Correspondence

856 N. Old Woodward Ave., The Pearl - The initial proposal specified Indiana Limestone for the exterior veneer. Due to cost and durability of the limestone the applicant would like to change the veneer to cast stone, as it has a similar look, high-end quality, and longer life span. The exterior facade design and footprint will remain the same as the initial proposal. The Planning Board was not in favor of allowing administrative approval for this request.

- Mr. Baka presented a request from Phoenicia. They wish to replace the sheds in the back of their property with one larger shed. Mr. Koseck suggested they should have Mr. Saroki come up with a design for the unit. It was decided to ask them to draw up a formal plan for staff to see and decide whether it should come back to the board.

c. Draft Agenda for the Regular Planning Board Meeting on February 22, 2017

- All of the bistros: Adachi, Whole Foods, and Lincoln Yard

d. Other Business

It was determined that three site plan reviews will be held on March 8, 2017.

02-31-17

PLANNING DIVISION ACTION ITEMS

a. Staff report on previous requests (none)

b. Additional items from tonight's meeting (none)

02-32-17

ADJOURNMENT

No further business being evident, the chairman adjourned the meeting at 9:13 p.m.

Jana Ecker
Planning Director

APPROVED