

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, AUGUST 10, 2016**

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<p>Motion carried, 5-0.</p>	7

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, AUGUST 10, 2016
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on August 10, 2016. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams; Student Representative Colin Cousimano (left at 9 p.m.)

Absent: Board Members Robin Boyle, Stuart Jeffares; Alternate Board Members Lisa Prasad, Daniel Share

Administration: Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

08-136-16

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING
OF JULY 27, 2016**

Motion by Mr. Williams

Seconded by Ms. Lazar to approve the Minutes of July 27, 2016 as presented.

Motion carried, 5-0.

VOICE VOTE

Yeas: Williams, Lazar, Clein, Koseck, Whipple-Boyce

Nays: None

Absent: Boyle, Jeffares

08-137-16

CHAIRPERSON'S COMMENTS

Chairman Clein advised that Woodland Villa has requested yet another extension.

08-138-16

APPROVAL OF THE AGENDA (no additional changes)

08-139-16

FINAL SITE PLAN REVIEW

100 - 450 Woodland Villa (existing duplexes)

Request for Final Site Plan approval to add a gate across Woodland Villa south of W. Maple Rd. (continued from the meeting of July 27, 2016)

Motion by Mr. Williams

Seconded by Mr. Koseck that Final Site Plan Review for 100 - 450 Woodland Villa (existing duplexes) be postponed until Wednesday, September 28.

Motion carried, 5-0.

VOICE VOTE

Yeas: Williams, Koseck, Clein, Lazar, Whipple-Boyce

Nays: None

Absent: Boyle, Jeffares

08-140-16

STUDY SESSION ITEMS

1. Glazing Standards Update

Ms Ecker reported that at the July 25, 2016 City Commission meeting, a public hearing was held to consider proposed amendments to the current window standards in the Zoning Ordinance. The purpose of these amendments was to implement several minor changes to the standards contained in Article 04 of the Zoning Ordinance, as well as the elimination of additional standards in Article 07 that are in conflict with other areas of the Zoning Ordinance. The proposed changes would have added a requirement to have at least 30% glazing on rear elevations with a public entrance; increased the amount of glazing permitted on upper floors, prohibited blank walls longer than 20 ft. on all elevations facing a park, plaza or parking lot; and would also have provided the reviewing board with the flexibility to allow adjustments to the amount of glazing under specific conditions. The City Commission decided to send the draft ordinance back to the Planning Board for further consideration.

During the public hearing, the City Commission identified two additional issues that they would like the Planning Board to consider. These issues were the clarification or elimination of the provision that allows window glazing to be "lightly tinted." Currently there is no definition for the term "lightly tinted," so there is no objective standard that applicants must meet in order to comply with this standard. Secondly, The City Commission would like 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.

Therefore, there are two things the City Commission wants this board to look at, which is whether only clear glazing should be allowed; or if lightly tinted is allowed, define

lightly tinted. The second issue is whether a minimum glazing standard should be added for facades that front on vias.

Ms. Whipple-Boyce thought 70% glazing is excessive for the side facing a via.

Discussion turned to tinted glass. Ms. Lazar thought there might be some accommodation for a building that will receive an excessive amount of sunlight. Mr. Koseck cautioned that the board should make sure what they are asking for is technically achievable. Once the glass is tinted it loses that interaction with the outside.

He continued that buildings need a back of the house. Mr. Williams maintained that the back of the building should have protection at the lower levels which is where the dumpster is located.

Ms. Whipple-Boyce favored having no tint on the windows. She doesn't think tint will determine whether or not people will cover their windows from the inside. As far as the via, maybe there is something that talks about locating a percentage of windows in the active part of the building. However, people should be encouraged to come to the street.

Chairman Clein said he is hearing support for no tinting except for energy code compliance, but making sure that it is enforceable.

Ms. Ecker noted the existing ordinance encourages more glazing and pedestrian scale details in the Via Activation Overlay without specific strict mandates. Mr. Williams thought what is currently in the ordinance is fine - it gives the board flexibility.

Chairman Clein suggested that the board come back to discuss this and consider language that still provides flexibility but addresses the significance of via glazing standards. Make sure that conversation is finalized because a commissioner did specifically call it out.

Ms. Ecker said she will find something that shows some of the limits of tint so the board is clear whether they are happy with no tint. She will investigate whether low-E coating counts as a tint, and what the Energy Code mandates. Further, she might be able to find samples.

08-141-16

2. City Commission Direction on Current Planning Issues

Ms. Ecker recalled at the July 25, 2016 City Commission meeting, the Commission discussed each of the current planning issues outlined at the June 20, 2016 joint City Commission/ Planning Board meeting. The City Commission gave the following direction to the Planning Board:

1) Transitional Zoning - to direct staff to work with the Planning Board to prepare a narrative on the recent study of transitional zoning; and further, to direct the Planning Board to review the number and type of uses proposed to be permitted in TZ-2, and to

conduct a public hearing to gather input on the proposed changes and develop a recommendation based on input received that can be forwarded to the City Commission.

Board members agreed that a two or three page report is needed with an attached exhibit that includes minutes of all prior meetings on this topic to show how great improvements have been made from what is allowable.

2) Commercial Development Parking Requirements - to direct the Planning Board to review the parking requirements for private developments, including but not limited to considering the possible reduction of parking standards for residential units. Also, consider the impacts of multi-modal transportation options; and further, to direct staff to include a component on parking requirements in the City-wide Master Plan update.

Mr. Williams commented the board hasn't studied parking standards in the neighborhoods. Ms. Ecker said where they get complaints about parking is Downtown. It is not caused by the residential units; it is caused by the offices and the restaurants. Chairman Clein clarified the request is specifically targeted toward the requirement for parking for residential developments within the BSD, the Triangle, and the Rail and how that adds cost to the units. With respect to the Rail District, Ms. Ecker advised one of the things they are looking at is shared parking. There is plenty of parking that no one uses because it says no parking or be towed.

Ms. Whipple-Boyce indicated she understands that requiring parking for residential developments is driving up the price of the units and preventing the affordable housing for a different demographic of people than those who would purchase a unit for over \$1 million. She thought it would be helpful to take information from the ad hoc study groups and incorporate it into the Master Plan update.

Chairman Clein noted perhaps there are incentives that could be offered to developers that would alleviate some of the parking requirements. Mr. Williams went on to say the longer the City goes without a parking structure in the Triangle District, the more problematic the development becomes and it is still very expensive.

3) Existing Commercial Non-Conforming Buildings - to review the non-conformance provisions pertaining to commercial buildings to provide specific requirements considering creating a new zoning category or categories to allow for changes to non-conforming buildings for maintenance and renovation consistent with those permitted for residential buildings and structures.

Ms. Ecker suggested creating a win-win situation by offering the ability to renovate or to add an addition, but the City would get something in return. Ms. Whipple-Boyce said it would be nice to have this in place ahead of time for buildings like 555 Woodward and Merrillwood. Chairman Clein thought the board could consider new zoning categories if there are specific areas that need it; but they can also consider generic language changes. Look at the non-conforming buildings first.

4) Definition of Retail - to direct the Planning Board to study the following:

- To evaluate the success of the red line retail district in Downtown Birmingham to determine if the intended objectives are being met;
- To study the existing definition of retail in the Zoning Ordinance and recommend any needed amendments to the definition; and
- To review all retail-related requirements contained in the Zoning Ordinance and recommend any needed amendments.

5) Dormer Considerations - to direct the Planning Board to review the dormer and habitable attic regulations in the Zoning Ordinance as they relate to current dormer construction trends in residential zoned districts. Specifically, to conduct a detailed public input and review process to:

- Clarify the types of dormers permissible that project from second-story roofs enclosing habitable attics;
- Provide recommended width limitations for dormers projecting from second-story roofs; and
- Refine the maximum area regulations for habitable attics that would not count as a story.

Ms. Ecker agreed to ask the Building Dept. to take some pictures of different types of dormers and some of the issues that have come up.

6) Planning Board Action List - to direct the Planning Board to revise their 2016-2017 Planning Board Action List to reflect the City Commission's recent and pending directives.

08-142-16

3. Planning Board Action List

Ms. Ecker advised that based on the direction and feedback received from the City Commission on July 25, 2016, a revised draft of the Planning Board's Action List for 2016-2017 was prepared.

Outdoor storage and display, Glazing standards, and Height in the MX District are already in the works. Following those:

- Review dormer and habitable attic regulations in residential zones
- Zoning Transition Overlay (TZ-2)
- Address allowable changes for commercial non-conforming buildings and Southern Downtown Overlay Gateway
- Parking requirements
- Definition of Retail
- Potential residential zoning changes: MF and MX garage doors, garage house standards, dormers (which should now be removed)
- Woodward Ave. Gateway Plan
- Consider looking at principal uses allowed and add flexibility ("and other similar uses")
- Sustainable urbanism

08-143-16

PRE-APPLICATION DISCUSSION

33877 Woodward Ave.

Savon Drugs

Discussion of proposed drive-through pharmacy

Mr. Bill Neuman, the property owner, said that his business continues to grow. As a convenience to his customers, he would like to add a drive-through. The idea is to put it on the south side of the building where their pharmacy is located and where there is currently parking. A customer would enter from the alley, turn left, run parallel to the building, and exit onto Woodward Ave. He is willing to work with the City to take everything down in order to open up the windows in the store so that people can look in. Also he can do some minor things like reducing the size of the ice chest.

Mr. Williams said his observation is that the parking spaces are never full. Chairman Clein advised that Woodward Ave. is a state road so MDOT will be in charge of modifications to the front parking area and the access onto Woodward Ave. Therefore, the traffic circulation is really the biggest question as to whether it would work.

Ms. Whipple-Boyce thought the board should see a study that would confirm that the loss of seven spaces on the south side to accommodate the drive-through would not adversely affect parking. Ms. Lazar observed queuing space in the drive-through should compensate for some loss of parking.

Mr. Williams said to the extent that Mr. Neuman is amenable to fixing the shelving issue in the front, the Planning Board would be inclined to work with him towards a solution. However, there are two issues that are not within the control of this board. The first is M-DOT's ruling and the second is that the Board of Zoning Appeals would have to agree with the proposed number of parking spaces.

08-144-16

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA (none)

08-145-16

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

a. Communications

Request for Planning Board representative on Birmingham Brand Development Committee.

Motion by Mr. Williams

Seconded by Ms, Lazar to appoint Bert Koseck to the Birmingham Brand Development Committee.

Motion carried, 5-0.

VOICE VOTE

Yeas: Williams, Lazar, Clein, Koseck, Whipple-Boyce

Nays: None

Absent: Boyle, Jeffares

b. Administrative Approval Correspondence

- 344 Hamilton Row - Rooftop mechanical proposal.
- 555 S. Old Woodward Ave., 555 Building - T-Mobile proposes to install a natural gas generator on existing steel platform.
- 770 S. Adams, Birmingham Plaza - Three temporary generators to supply temporary AC units - building compressor.
- 2200 Holland - Replace mechanical units.

c. Draft Agenda for the Regular Planning Board Meeting on August 24, 2016

- Site Plan Review, 602 Riverside
- Dormer presentation

If the applicant is amenable to moving their site plan review to September 14, then cancel the August 24 meeting.

d. Other Business

- Ms. Ecker will follow up with Code Enforcement on:
 - Signs in the Shain Park Real Estate Office.
 - Hawthorne Appliance has brown paper in the window.
 - Deli that will go into the Einstein space has menus all over the windows.

08-146-16

PLANNING DIVISION ACTION ITEMS

- a. Staff report on previous requests (none)
- b. Additional items from tonight's meeting (none)

08-147-16

ADJOURNMENT

No further business being evident, the chairman adjourned the meeting at 9:10 p.m.

Jana Ecker
Planning Director

APPROVED