

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, SEPTEMBER 9, 2020**

Held Remotely Via Zoom And Telephone Access

Minutes of the regular meeting of the City of Birmingham Planning Board held on September 9, 2020. Chairman Scott Clein convened the meeting at 7:30 p.m.

A. Roll Call

Present: Chairman Scott Clein; Board Members Stuart Jeffares, Daniel Share, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Members Jason Emerine, Nasseem Ramin; Student Representatives Rachel Hester, June Lee

Absent: Board Members Robin Boyle, Bert Koseck

Administration: Jana Ecker, Planning Director
Jamil Alawadi, IT Staff
Nicholas Dupuis, City Planner
Laura Eichenhorn, Transcriptionist

Master Planning Team:

Bob Gibbs, Gibbs Planning Group
Matt Lambert, DPZ
Sarah Traxler, McKenna

09-109-20

B. Approval Of The Minutes Of The Regular Planning Board Meeting of August 26, 2020

Mr. Share recommended that a typographical error resulting in a superfluous 'e' on page two of the minutes be removed.

Motion by Mr. Share

Seconded by Mr. Williams to approve the minutes of the Regular Planning Board Meeting of August 26, 2020 as amended.

Motion carried, 5-0.

ROLL CALL VOTE

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

Nays: None

Abstain: Emerine, Ramin

09-110-20

C. Chairperson's Comments

Chairman Clein welcomed everyone to the meeting and reminded everyone that the meeting was being held under the guidance of the City Attorney and City administration to ensure compliance with Governor Whitmer's executive orders. Chairman Clein then reviewed procedures for the meeting.

09-111-20

D. Review Of The Agenda

There were no changes to the agenda.

09-112-20

E. Study Session Items

1. Review of First Draft of 2040 Birmingham Plan

- **Mixed Use Districts:**
 - o **Maple and Woodward**
 - o **Market North**

Sarah Traxler introduced the item and Matt Lambert presented the item.

Mr. Williams said that speed reduction efforts under 'Connect the City' would have to include the stretch of Woodward north of Maple all the way up to Big Beaver, with particular emphasis on southbound traffic.

In reply to Ms. Whipple-Boyce, Mr. Lambert stated that 'neighborhood scale' in Item F under 'Retain Neighborhood Quality' refers to the scale of the older housing in a given neighborhood and not to the more recent residential developments in those areas. He said this point would be more applicable in neighborhoods that have retained larger numbers of their original homes.

Mr. Jeffares cautioned that while it would be reasonable to try and maintain neighborhood scale, the City must also recognize that many of the homes that were built in the 1950s in Birmingham would no longer be appropriate for today's families. He said there must be a compromise in size between the smaller, older homes and the larger, newer homes that many residents opine are out-of-scale.

In reply to Mr. Jeffares, Chairman Clein reminded the Board that Item F under 'Retain Neighborhood Quality' talks about incentivizing, not mandating, more in-scale developments. The Chair noted that could mean something like making additions easier to build on older homes instead of policies that encourage demolitions and re-builds on the lots.

Mr. Share noted that the scale of housing often changes on a block-by-block basis, and not on a neighborhood one. He said the Board should be mindful of that fact when making policy. He added that it may be worthwhile for the Board to think about ways to acknowledge the historic

value of some homes, since homes that were built in the 1950s will be 90 years old by the time this master plan finishes its course in 2040.

Mr. Jeffares said that the City having only one covered outdoor pavilion among all of its parks has become a more apparent issue since Covid-19. He said that the City may want to consider expanding the number of covered outdoor areas available, and may want to consider increasing the variety of types of outdoor gathering spaces available in general.

Mr. Lambert said he was aware of a paper from Princeton with a good exploration of how to modify outdoor spaces to increase safety in light of Covid-19.

There was consensus among the Board members that the themes were appropriate and headed in the right direction.

Chairman Clein invited public comment.

In reply to Patricia Lang, Mr. Lambert said that Birmingham would not likely see a notable loss or a notable gain of residents as a result of Covid-19. He noted that the cities people are moving away from tend to be much more densely settled than Birmingham, and the cities people are moving to tend to be on the outskirts of much larger metropolitan areas such as Los Angeles or New York.

Mr. Jeffares confirmed Mr. Lambert's assessment, stating that housing in Birmingham has been selling at a steady clip throughout Covid-19.

David Bloom said he liked Mr. Jeffares' idea that the City should increase its variety of available sheltered outdoor spaces. He said he was not in favor of giving developers incentives via parking to build in Birmingham. He also cautioned that multi-family homes along the seams should be regulated carefully and should be vetted by the neighbors. He emphasized that development in Birmingham should benefit City residents and not developers alone.

Seeing no further public comment, Chairman Clein offered his opinion. He thanked the master planning team for their work in consolidating thus far, saying that it was well done. He continued that thinking more about how to determine and encourage community benefits would be a worthwhile endeavor as part of the ongoing master planning discussion. The Chair concurred with Mr. Bloom's statement that policies regarding building multi-family homes along the seams should be very carefully developed. Finally, Chairman Clein noted how significant the issue of Covid-19 has become and stated it should be more directly addressed in the master planning process. He noted that if the City experiences consequences from Covid-19 for the next three to five years, that would be a quarter of the 20 year master plan term. Accordingly, Chairman Clein emphasized the need to keep the plan flexible and agile so that the City's can remain appropriately responsive to changing circumstances.

Mr. Jeffares noted that there will likely be a shift in who will be interested in moving to Birmingham since many office workers may be permitted to work remotely indefinitely. He said he recently had a conversation with a Birmingham home buyer who asked why they should move to Birmingham when they are no longer tied to any particular location by their office.

Addressing Mr. Jeffares' comment, Mr. Lambert stated that would be why quality of life considerations in the master planning process remain so essential. If many more individuals can live anywhere, the City must emphasize and continue to enhance what makes Birmingham particularly attractive.

Mr. Williams said the draft needed a section on commercial usage. He noted that the topic tied into zoning matters, the 2016 Plan, and likely future repercussions of the Covid-19 pandemic. He said:

- It was nearly guaranteed that office usage will go down in the City as many companies encourage their staff to work from home.
- The City's current parking policies favor commercial and discourage housing developments.
- In a prior conversation between himself and Mr. Boyle, they both agreed that those policies should be inverted so that parking policies become more favorable to housing than they are to commercial. Many retailers have stated that there needs to be more residential in the downtown area in order to support retailers.
- Some of the current commercial buildings should be converted to residential, but in order to do that the City's parking standards must be altered.
- It would be beneficial to hold a symposium of interested parties similar to ones happening in Detroit, where residents, building owners, retail owners, and experts in multi-family construction and management would come together to discuss ways of moving the City forward in light of shifting commercial and residential needs. These meetings could be held after the first draft of the master plan is completed and before the second draft is commenced.
- The conclusions arising from those meetings would then be tied into an analysis of parking. The City no longer needs to be expanding parking to meet the needs of commercial development, but it still needs to shift its policies to better accommodate more residences.
- The City would likely need expert advice in navigating the intricacies of essentially undoing much of the 2016 Plan.

Mr. Share explained that in working in downtown Detroit, micro-mobility devices such as scooters posed significant problems in terms of pedestrian-scooter user interaction on sidewalks. He said that if the City decides to encourage these kinds of devices they would have to make clear policy regarding their use and storage, and he said he was not sure it would be appropriate to allow their use in the densest part of downtown Birmingham.

In regards to 'Street Life', Mr. Share said that the master plan should likely be less prescriptive regarding sidewalk widths next to dining decks. He said it would be appropriate for the plan to be flexible on the matter since appropriate widths will vary neighborhood to neighborhood.

Chairman Clein said he would invite the master planning team to consider future alternate locations for the Birmingham Farmers' Market. The Chair then welcomed public comment.

Keith Mazias of the Najor Companies said he agreed that the availability of monthly parking passes remains an issue in the City especially in the N. Old Wodoward and Maple and Woodward areas.

He said it is much easier to entice tenants when parking is available. He said it would also benefit business owners for there to be more flexibility in the redline retail district since they do not yet know what the retail, services and commercial environment will be.

David Bloom recalled earlier discussions of the draft master plan which proposed allowing residential parking in the garages at night, which would leave parking available for commercial and office uses during the day. He cautioned that more people working from home due to Covid-19 might shift the feasibility of that proposal and asked the City to think that through carefully. He continued:

- He would be supportive of residences being added to downtown and the Triangle District. That housing should be incentivized with parking by the City and should be focused on smaller, more affordable housing rather than multi-million dollar residences.
- Incentivizing the conversion of office space into housing might also be a worthwhile endeavor for the City.

Seeing no further public comment, the Chair returned the discussion to the Board.

Mr. Jeffares concurred with Mr. Mazias regarding the need for parking. He recounted that he was aware of business owners who would regularly reimburse employees for parking fines, because with parking so scarce in Birmingham paying the parking fines is the cost of doing business. Mr. Jeffares also said that vias should receive some attention as they remain an important part of the City's MX Districts.

In reply to Mr. Share, Mr. Lambert explained that there are secondary streets in the City, currently with 20 feet of first floor retail requirements, that could have those requirements loosened. He said traditionally cities require all businesses within a quarter or half mile of the city center to have activated storefronts, but does not require all storefronts in the entire district to be active. Mr. Lambert noted that many businesses are in the Rail District because they cannot occupy downtown frontage due to the current retail standards. He **Matt Lambert** said that Old Woodward from Booth **Park** to Maple would be a key section where the 20 foot retail standards should be maintained.

In reply to Chairman Clein, Mr. Lambert, Ms. Traxler and Mr. Gibbs confirmed that they had received helpful feedback from both the public and the Board during the discussion.

Chairman Clein thanked the master planning team.

2. Draft Bates Street Public Process Framework

Planning Director Ecker presented the item.

In reply to Mr. Williams, Planning Director Ecker explained that an interactive public engagement software system would be an additional way of communicating with the public on key projects, creating a discussion forum that allows the public to pose questions and feedback to the City regarding potential future projects.

Mr. Williams said a mechanism for public engagement would be a significant process improvement over the City's last foray into trying to develop a project for Bates. He said he thought that would go a long way towards improving public confidence.

Mr. Share said it would be helpful to know whether the City Commission would rather ask developers to propose projects within a broad framework, or whether the Commission would come up with a project based on residents' preferences and then would seek out a developer to realize that.

Rather than focusing on public engagement for Bates Street alone, Chairman Clein said it would better serve the City's needs to design a public engagement framework that could be used whenever the City wants to explore a large public project. He said the answer to the question Mr. Share raised would likely vary from site to site.

Mr. Share acknowledged the answer would vary from site to site but said that did not render the question less essential. He said that a municipality must be clear on where the impetus for a project comes from, whether it be a developer's proposal or public preferences. He continued that when a municipality does not consider this question at the outset of a project there tends to be poorer outcomes because an initially attractive development proposal can inadvertently outweigh public need. Mr. Share ventured that policy makers must be considering the question as a guideline from day one of a project.

Chairman Clein said Mr. Share made a fair point.

Mr. Jeffares said he would also remove 'Bates Street' from the title of the current discussion because it assumes Bates Street would be run through whatever development is ultimately proposed. He noted that would not necessarily be the case.

Chairman Clein and Planning Director Ecker said Mr. Jeffares made a fair point.

Ms. Whipple-Boyce observed that part of the master planning process revolves around generating new ideas for how the City should handle its publicly-held properties. She noted that the master plan would likely clarify what amenities and projects the residents would like to see, and where it might be appropriate to enact them. She said that through those more broad discussions the City would develop a better sense of how to approach the Bates Street parcel more specifically. Since this topic ties into the master planning process, Ms. Whipple-Boyce recommended that the City work the master plan through to its end before trying to design this framework.

Mr. Emerine said he heartily concurred with Ms. Whipple-Boyce. Citing his past public utility work, Mr. Emerine stated that best practices require that decision makers clearly establish the 'public need and necessity' before beginning to design a project. He said that should be the framework's initial step.

Mr. Williams said he agreed with Ms. Whipple-Boyce and Mr. Emerine, recalling that at the Board's previous meeting he also said the master planning process needed to address how the City should handle publicly-held property. He expressed firm agreement with Ms. Whipple-Boyce that the

future of Bates Street should not be considered prior to, or apart from, the conclusion of the master planning process.

Chairman Clein said he liked that the framework's strategy for all projects would direct the City to reference the master plan, determine community need, and then decide how best to solicit a project that would reflect those priorities and desired benefits. He said he also liked that the City would outline parameters and applicable regulations for site plan and design review because it would mean the City decides on the project's standards from the outset. Concurring with previous comments, Chairman Clein said he humbly and respectfully believed that discussion of the N. Old Woodward parcel should occur subsequent to the master planning process. He said the master plan would tell the City what kinds of projects would benefit the City, potentially appropriate locations for said projects, what residents like and do not like, and what kinds of projects residents would like to be incentivized all of which would help guide the N. Old Woodward considerations.

Mr. Emerine said the proposed community analysis should be more of a community cost-benefit analysis since there are always associated costs with acquiring particular benefits. He clarified that the costs that are considered should not be solely monetary.

Chairman Clein agreed, noting that some of Birmingham's neighboring communities require developers to provide evidence of community benefit in order to obtain approval for projects planned for certain districts.

In reply to Planning Director Ecker **concerning whether alternate Planning Board members can serve on ad hoc committees for projects that will come before the Planning Board**, Mr. Share cautioned that the Board, or specific Board members, may not want to take ownership of a plan that the Board then has to vote on. He said that consideration would be first a matter of Birmingham's ethics ordinance, and then a matter of whether it was right even if it was technically compliant with the ethics ordinance.

Chairman Clein said the Board should probably not be involved in project management. He said they could assist in determining what land use options would be appropriate and in alignment with the master plan.

Seeing no further discussion at the Board level, the Chair invited public input.

Given the Board's attention to detail in site plan and design review processes, Mr. Bloom said the City would only stand to benefit from the Board paying that kind of attention to public project proposals as well. He opined that if the Board does not take ownership of that process then a public project proposal would arise either from the Planning Department or from a few Commissioners, and then would be decided on by the Commission acting as a de facto Planning Board. He expressed concern that such a process would bypass other City boards that should be consulted as well as other City departments. Mr. Bloom said he liked the item's discussion so far and said he would like to see more of it at the Board level in order to ensure that City ends up with a good process.

Chairman Clein said Mr. Bloom had a fair point.

09-113-20

F. Miscellaneous Business and Communications:

a. Communications

b. Administrative Approval Correspondence

c. Draft Agenda for the next Regular Planning Board Meeting (September 23, 2020)

- 469-479 S. Old Woodward - Final Site Plan & Design Review
- 35001 Woodward - Revised Preliminary Site Plan Review
- 768 N. Old Woodward - Revised SLUP and Final Site Plan & Design Review

d. Other Business

09-114-20

G. Planning Division Action Items

a. Staff Report on Previous Requests

b. Additional Items from tonight's meeting

09-115-20

H. Adjournment

No further business being evident, the Chairman thanked all in attendance and adjourned the meeting at 9:57 p.m.

Jana L. Ecker

Planning Director