

Birmingham City Commission Special Meeting Minutes

April 19, 2021

7:00 P.M.

Virtual Meeting

Meeting ID: 655 079 760

Vimeo Link: <https://vimeo.com/event/3470/videos/536157221/>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Pierre Boutros, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

Abrial Hauff, Deputy City Clerk, called the roll.

Present: Mayor Boutros (location: Birmingham, MI)
Mayor Pro Tem Longe (location: Birmingham, MI)
Commissioner Baller (location: Birmingham, MI)
Commissioner Hoff (location: Birmingham, MI)
Commissioner Host (location: Birmingham, MI)
Commissioner Nickita (location: Birmingham, MI)
Commissioner Sherman (location: Birmingham, MI)

Absent: None

Administration: City Manager Markus, Deputy City Clerk Hauff, Planning Director Ecker

Master Planning Team:
Matt Lambert, DPZ
Sarah Traxler, McKenna

III. NEW BUSINESS

PD Ecker provided background regarding the master planning process.

Mayor Boutros asked about seams, saying most concerns from residents were regarding the topic.

Mr. Lambert reviewed the first draft's original proposals regarding seams, and the public and Planning Board feedback received thus far that would be integrated into the second draft.

Commissioner Baller said illustrations and descriptions of different types of multifamily housing would be helpful to include in the second draft for clarity. He opined that SEMCOG's projection of population growth held no relevance to Birmingham, saying that the City's area plans already address how population growth should occur throughout the City. He said his preference would be that the second draft focus on the recommendations of the area plans. He also said he did not believe that the second draft should

recommend where multifamily properties might be most appropriately located. He said he would rather that a developer come to the City and say they want a parcel rezoned instead of rezoning areas preemptively.

Commissioner Host said he believed that Birmingham residents were against increasing density as a rule.

Commissioner Nickita said types of seams where commercial and residential are more mixed have been in use for at least a century in Birmingham. He stated that the second draft must recommend where multifamily properties might be located in the future since the entire goal of a master plan is setting out land planning recommendations.

Chair Scott Clein, of the Planning Board, stated that Birmingham is obligated to understand growth projections and the population growth pressures likely to occur in surrounding communities. He said it is the Commission's job to decide how to react to those pressures, but cannot disregard the existence of those pressures. He continued that not taking that information into account would negatively impact every aspect of Birmingham and its ability to attract and retain residents. He said that promoting density in appropriate areas of the City would increase the population diversity of the City, which he said is essential to maintaining a healthy community. Chair Clein also concurred with Commissioner Nickita's comments.

Public Comment

Brandon Best concurred with Chair Clein's comments regarding population diversity being essential to maintaining a healthy community. He ventured that Birmingham residents who understood the importance of a diverse population participated in the charettes and initial surveys, which efforts to promote diversity were included in the first draft. He said he was deeply concerned that there were efforts to walk those recommendations back in advance of the second draft. He stated that the United States has an 'ugly' history of planning and zoning to maintain segregation, and said Birmingham was missing the opportunity to not follow in those footsteps by keeping the seams as recommended in the first draft. He asked the Commission and Planning Board to reconsider.

Patrick Duerr said he was against government-mandated population diversity. He said he was also against low-income subsidized housing being available in Birmingham. He speculated that the Plan was part of a surreptitious effort by the Commission and the Planning Board to provide low-income subsidized housing.

Mayor Boutros corrected Mr. Duerr, stating that promoting low-income subsidized housing was not part of the Plan's purview.

Michael Horowitz said that in 40 years of developing properties in multiple communities, the worst case scenario for a development proposal is going to a municipality to request a property be permitted in a zoning area that does not provide for it. He said the City must zone areas as appropriate to promote the kind of growth it wants, especially since spot zoning is verboten.

Mr. Horowitz then warned the Commission that they seemed to be putting too much stock in the ad hoc feedback offered by the public at these meetings. He noted that most often individuals opposing a proposal speak at public meetings, leading to a disproportionate focus on their perspectives versus the greater majority of people who are satisfied with a proposal. He reminded those present that the master planning team was methodical in soliciting feedback from Birmingham residents and that their recommendations stemmed from that process. He entreated the Commission to understand that they were elected to make these decisions based on the bulk of the data provided rather than on ad hoc comments.

Mr. Horowitz then concluded his comments by noting that multifamily developments have been the most expensive real estate in Birmingham in the last few years. He stated that only a concerted effort on the City's part to have multifamily developments that are affordable to the 'missing middle' would cause the developments to be less expensive.

Paul Reagan said he wanted the second draft to focus more on connecting the east and west sides of the City.

Andrew Haig stated that the City's 1921 Plan did not require zoning for multi-families. He said that the City has been successful since then and consequently asked why that aspect should change. His question did not address the fact that Birmingham has had a number of multifamily developments in the interim.

Ed Shulak stated that a significant minority of housing in Birmingham is already multifamily. He noted that the population of Birmingham has decreased from its peak, and said that as a result Birmingham likely did not need more multifamily to accommodate potential population growth. He also said he was concerned about the impact of Covid-19 on the master planning process, and said it would be better to hold off on solidifying plans until the long-term impacts of Covid-19 on the City are more clear.

Seeing no further public comment, Mayor Boutros returned the conversation to the Board.

Commissioners Baller and Host spoke in favor of the potential of accessory dwelling units (ADUs) if the City could determine a good way to regulate their use.

Commissioner Nickita noted that second-floor garages have been permitted in the City for many years, and that allowing ADUs would be part of the next evolution of Birmingham's housing stock. He said that ADUs would not change single-family to multifamily, but rather would provide a space for a family's older or younger generations.

Mayor Pro Tem Longe specified that only non-residential second-floor garages are currently permitted. She said the City would have to determine whether they wanted these units to be residential, and how they would be regulated. She said she did not dismiss the idea of ADUs outright.

Mr. Lambert commented that ADUs would usually accommodate only one or two people. He agreed with the Commissioners' other comments.

Public Comment

Messrs. Reagan and Haig expressed concerns about having elderly family members living in a residential unit only accessible by stairs.

Mr. Reagan said he would be fine with ADUs if they were used to house generations of one family, like Commissioner Nickita proposed, but not if they were rented out to other people.

Mr. Reagan, Pam Burkhart, Norm Cohen, Jonathan Hoffley and Lisa Hoffman all expressed concern regarding potential regulatory and enforcement issues regarding ADUs.

Elaine McClain stated that she has lived in three neighborhoods in Birmingham in her 62 years of residency, and said the City should plan towards the future. She clarified that would mean being more inclusive in planning and would mean promoting reasonable growth. She cautioned the Commission against basing its planning on today's standards.

Larry Bertollini said it might be unfair to only permit ADUs on lots of a certain minimum size or above.

Seeing no further public comment, Mayor Boutros returned the discussion to the Commission.

Commissioner Hoff said she had mixed feelings about the first draft's recommendation to use more committees to determine policy. She said she was also concerned about the master planning team's understanding of Birmingham, given how many recommendations from the first draft they were being asked to walk back in advance of the second draft. She said the idea was to refine Birmingham's planning, not to re-do it.

Commissioner Nickita recommended the master planning team hew its second draft more closely to the requests put forth in the RFP for the Plan. He said the second draft should also be less specific, stating that specific roads, for example, should not be named in recommendations. As far as the 'bold moves' mentioned, he suggested those more specific suggestions be included as an appendix to the Plan for reference. He listed the proposals for Haynes Square, Bates, S. Old Woodward gateway, and Adams Square as potential appendix items.

Mr. Lambert clarified that specific roads or paths were only mentioned in an effort to integrate the different sub-area plans, which was one of the RFP's main requests.

Commissioner Baller said the second draft need not provide an actual proposal for Bates, but should instead recommend a process for determining next steps. He encouraged the master planning team to be creative in terms of recommendations regarding the golf courses. He said the master planning team should ensure that recommendations included in the Plan would be feasible, citing the traffic circle at Maple and Woodward and the alleys between 14 and Lincoln as two proposals he was not yet convinced would be possible.

Bryan Williams, of the Planning Board, and Commissioner Host stated that parking needed to be a topic on the next joint Commission-Planning Board agenda.

Commissioners Baller and Sherman said the second draft should prioritize ways of non-financially incentivizing home renovations. Commissioner Sherman cautioned that tax incentives would be considered a financial incentive, which the City is not looking to implement. He recommended that the second draft either list types of non-financial incentives available or recommends that the matter be studied.

Ms. Traxler said one of the aims of the second draft is to maintain consistency across the draft in the level of detail provided.

Commissioner Baller and Mayor Pro Tem Longe asked the master planning team whether there were specific matters on which they were seeking more input on.

Mr. Lambert asked how the topic of infrastructure should be addressed, given that the guidance from former City Manager Valentine was that the topic was to largely be left to the AHUSSC.

Chair Klein said that while infrastructure issues did not need to be solved by the master plan, a general statement about the value of infrastructure to the success of the community and land use over the next 20 years should be made. He noted combined sewers and flooding, stormwater management, unimproved streets and the general condition of the surface infrastructure in Birmingham were some aspects worth

mentioning. He said it would be most useful if the second draft provided some guidance as to where the City should be heading in regards to those topics, but did not need to include a specific answer or details.

Mayor Pro Tem Longe agreed with Chair Clein.

Commissioner Host said he was looking forward to seeing a shorter second draft, with a focus on bridging the east-west divide in the City and strategies for tempering Woodward's negative impacts on the surrounding neighborhoods.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Sherman:
To direct the DPZ team to prepare the second draft of the 2040 Plan, to include the Planning Board's recommendations for changes as outlined in the letter from DPZ dated April 13, 2021, and to include the Commission's comments from their April 19, 2021 meeting.

Commissioners Baller and Host noted that some of the preferences coming from the public, the Planning Board, and the Commission were at odds, and expressed their hope that the master planning team could find effective ways to reconcile those differences in the second draft.

Public Comment

Mr. Reagan said there was scope creep in the first draft relative to the initial RFP. He said he was also skeptical that the master planning team gained any additional clarity from the evening's discussion.

David Bloom reiterated Mr. Horowitz's previous comment that multifamily housing in Birmingham would be unlikely to fill in the 'missing middle' unless the City administration took a heavy hand towards promoting it.

ROLL CALL VOTE: Ayes, Commissioner Hoff
Commissioner Sherman
Mayor Pro Tem Longe
Commissioner Host
Commissioner Nickita
Mayor Boutros
Commissioner Baller

Nays, None

IV. ADJOURN

Mayor Boutros adjourned the meeting at 9:42 p.m.



Alexandria Bingham, City Clerk
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