

BIRMINGHAM CITY COMMISSION AGENDA
AUGUST 24, 2015
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Stuart Lee Sherman, Mayor

II. ROLL CALL

Laura M. Pierce, City Clerk

III. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS, INTRODUCTION OF GUESTS AND ANNOUNCEMENTS.

Announcements:

- The next City Commission meeting will be on Thursday, Sept 10th, due to the Labor Day holiday.
- The city offices will be closed on Monday, September 7th, for the Labor Day holiday.

IV. CONSENT AGENDA

All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of the items unless a commissioner or citizen so requests, in which event the item will be removed from the general order of business and considered under the last item of new business.

- A. Approval of City Commission minutes of August 10, 2015.
- B. Approval of warrant list, including Automated Clearing House payments, of August 12, 2015 in the amount of \$2,826,648.94.
- C. Approval of warrant list, including Automated Clearing House payments, of August 19, 2015 in the amount of \$5,278,289.65.
- D. Resolution setting a public hearing date of September 21, 2015 to consider approval of the Final Site Plan and Special Land Use Permit for Cameron's Steakhouse at 115 Willits to approve the transfer in ownership of the existing liquor license from the current owners, Palladium Restaurant III, LLC and RHG Fish Market Inc. to Willits Co-License LLC and Mitchell's Entertainment, Inc. (complete Resolution in agenda packet)
- E. Resolution setting a public hearing date of September 21, 2015 to consider approval of the Final Site Plan and Special Land Use Permit for Mitchell's Fish Market at 115 Willits to approve the transfer in ownership of the existing liquor license from the current owners, Palladium Restaurant III, LLC and RHG Fish Market Inc. to Willits Co-License LLC and Mitchell's Entertainment, Inc. (complete Resolution in agenda packet)
- F. Resolution setting a public hearing date for September 21, 2015 to consider the Final Site Plan and Special Land Use Permit for 243 E. Merrill – La Strada Caffe, to allow the operation of a new bistro. (complete Resolution in agenda packet)
- G. Resolution setting a Public Hearing of Necessity for the Birmingham Principal Shopping District on September 21, 2015. If necessity is declared, setting a Public

Hearing of Confirmation of Assessment Rolls on October 12, 2015. (complete Resolution in agenda packet)

- H. Resolution approving the purchase of one model #D6626-1 bus shelter to be located in the area of N. Old Woodward and Oakland, in the amount of \$19,780 from Enseicom, charging it to account #401-901.020-971.0100. Further, waiving the normal bidding requirements as Enseicom is a sole source vendor for this product, and further, approving the appropriation and amendment to the 2015-2016 Capital Projects Fund Budget as follows:

Capital Projects Fund

Revenues:

Bus Shelter/SMART-Community Credits (401-901.020-587.0001)	\$16,760
Transfer In – General Fund (401-901.020-699.0101)	\$ 3,020
Total Revenues	\$19,780

Expenditures:

Bus Shelter/Machinery and Equipment (Account # 401-901.020-971.0100)	\$19,780
Total Expenditures	\$19,780

General Fund

Revenues:

Draw from Fund Balance (Account #101-000.000-400.0000)	\$ 3,020
Total Revenues	\$ 3,020

Expenditures:

Transfer to Capital Projects (Account # 101-999.000-999.4010)	\$ 3,020
Total Expenditures	\$ 3,020

- I. Resolution approving the purchase of one model #D6626-1 bus shelter to be located on the southwest corner of S. Old Woodward and Merrill, in the amount of \$19,780 from Enseicom, charging it to account #401-901.020-971.0100, and further, waiving the normal bidding requirements as Enseicom is a sole source vendor for this product.

- J. Resolution approving the purchase of traffic signal upgrades for five intersections on West Maple Road: Cranbrook, Chesterfield, Lakepark, Southfield, and Chester from the Road Commission for Oakland County (a sole source vendor) in the amount of \$24,855.61; further waiving normal bidding requirements and authorizing this expenditure to Traffic Control Machinery and Equipment account #202-303.001-971.0100; and further approving the appropriations and budget amendment as follows:

Major Street Fund

Revenues:

Draw from fund balance	#202-000.000-400.0000	\$24,860
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Expenditures:

Traffic Control Machinery and Equipment	#202-303.001-971.0100	\$24,860
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- K. Resolution accepting the resignation of Shawn O'Rourke from the Museum Board, thanking Mr. O'Rourke for his service, and directing the Clerk to begin the process to fill the vacancy.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

A. Public Hearing to consider amendments to Chapter 126, Zoning, of the Code of the City of Birmingham as follows:

1. Ordinance amending Chapter 126, Zoning, of the Code of the City of Birmingham as follows:

To add Article 02 District Intent, Permitted Uses, and Special Uses, Section 2.41, TZ1 (transition zone) District to create a district intent and list permitted and special uses in this zone district;

To add Article 02 Development Standards, Section 2.42, TZ1 (transition zone) District to create development standards in this zone district;

To add Article 02 District Intent, Permitted Uses, and Special Uses, Section 2.43, TZ2 (transition zone) District to create a district intent and list permitted and special uses in this zone district;

To add Article 02 Development Standards, Section 2.44, TZ2 (transition zone) District to create development standards in this zone district;

To add Article 02 District Intent, Permitted Uses, and Special Uses, Section 2.45, TZ3 (transition zone) District to create a district intent and list permitted and special uses in this zone district;

To add Article 02 Development Standards, Section 2.46, TZ3 (transition zone) District to create development standards in this zone district;

To add Article 4, Section 4.53, Parking Standards, PK-09, to create parking standards for TZ1, TZ2 and TZ3 zone districts;

To add Article 4, Section 4.58, Screening Standards, SC-06, to create screening standards for TZ1, TZ2 and TZ3 zone districts;

To add Article 4, Section 4.62, Setback Standards, SB-05, to create setback standards for TZ1 zone districts;

To add Article 4, Section 4.63, Setback Standards, SB-06, to create setback standards for TZ2 and TZ3 zone districts;

To add Article 4, Section 4.69, Streetscape Standards, ST-01, to create streetscape standards for TZ1, TZ2 and TZ3 zone districts;

To add Article 4, Section 4.77, Structure Standards, SS – 09, to create structure standards for the TZ1 zone district;

To add Article 4, Section 4.78, Structure Standards, SS – 10, to create structure standards for TZ2 and TZ3 zone districts;

To add Article 5, Section 5.14, Transition Zone 1, to create use specific standards for the TZ1 zone district;

To add Article 5, Section 5.15, Transition Zones 2 and 3, to create use specific standards for the TZ2 and TZ3 zone districts;

AND

Ordinance amending Chapter 126, Zoning, of the Code of the City of Birmingham, Article 4, all sections noted below, to apply each section to the newly created TZ1, TZ2 and/or TZ3 zone districts as indicated:

Ordinance Section Name Section Number Applicable Zone to be Added

Accessory Structures Standards (AS)	4.2 4.3 4.4	TZ1, TZ2, TZ3 TZ1 TZ1, TZ2, TZ3
Essential Services Standards (ES)	4.09	TZ1, TZ2, TZ3
Fence Standards (FN)	4.10 4.11	TZ1, TZ2, TZ3 TZ1
Floodplain Standards (FP)	4.13	TZ1, TZ2, TZ3
Height Standards (HT)	4.16 4.18	TZ1, TZ2, TZ3 TZ1, TZ2, TZ3
Landscaping Standards (LA)	4.20	TZ1, TZ2, TZ3
Lighting Standards (LT)	4.21 4.22	TZ1, TZ2, TZ3 TZ1, TZ2, TZ3
Loading Standards (LD)	4.24	TZ1, TZ2, TZ3
Open Space Standards (OS)	4.30	TZ1, TZ2, TZ3
Outdoor Dining Standards (OD)	4.44	TZ2, TZ3
Parking Standards (PK)	4.45 4.46 4.47	TZ1, TZ2, TZ3 TZ1, TZ2, TZ3 TZ1, TZ2, TZ3
Screening Standards (SC)	4.53	TZ1, TZ2, TZ3
Setback Standards (SB)	4.58	TZ1, TZ2, TZ3
Structure Standards (SS)	4.69	TZ1, TZ2, TZ3
Temporary Use Standards (TU)	4.77	TZ1, TZ2, TZ3
Utility Standards (UT)	4.81	TZ2, TZ3
Vision Clearance Standards (VC)	4.82	TZ1, TZ2, TZ3
Window Standards (WN)	4.83	TZ2, TZ3

AND

Ordinance amending Article 9, Definitions, Section 9.02 to add Definitions for boutique, parking, social club, tobacconist, indoor recreation facility and specialty food store.

AND

2. Ordinance approving the rezoning of the following parcels as noted:

Parcel # 1925451021, Known as 404 Park Street, Birmingham, MI. Rezoning from R-2 Single-Family Residential to TZ1 - Attached Single-Family to allow attached Single-Family and Multi-Family Residential which are compatible with adjacent Single-Family Residential uses.

191 N. Chester Rd. Birmingham, MI. Rezoning from R-2 Single-Family Residential to TZ1- Attached Single-Family to allow Attached Single-Family and Multi-Family Residential uses which are compatible with adjacent Single-Family Residential uses.

400 W. Maple Birmingham, MI. - O1 Office to TZ3 Mixed Use to allow Commercial and Residential uses which are compatible with adjacent Single-Family Residential uses.

564, 588, Purdy, 115, 123, 195 W. Brown, 122, 178 E. Brown, Birmingham, MI. Rezoning from O2 Office to TZ2 - Mixed Use to allow Commercial and Residential uses which are compatible with adjacent Single-Family Residential uses.

1221 Bowers & 1225 Bowers Birmingham, MI. Rezoning from O1- Office/ P - Parking to TZ1 - Attached Single-Family to allow Attached Single-Family, Multi-Family Residential uses which are compatible with adjacent Single-Family Residential uses.

1111 & 1137 Holland; 801, 887, 999, 1035 & 1105 S. Adams Rd.; 1108, 1132 & 1140 Webster; 1137 & 1143 Cole St.; 1101 & 1120 E. Lincoln, Birmingham, MI. Rezoning from O2 Office to TZ2 - Mixed Use to allow Commercial and Residential uses which are compatible with adjacent Single-Family Residential uses.

500, 522 & 576 E. Lincoln; 1148 & 1160 Grant; 1193 Floyd; Parcel #1936403030, Birmingham, MI. Rezoning from B-1 Neighborhood Business to TZ2 - Mixed Use to allow Commercial and Residential uses which are compatible with adjacent Single-Family Residential uses.

36801, 36823 & 36877 Woodward, Parcel #'s 1925101001, 1925101006, 1925101007, 1925101008, 1925101009, Birmingham MI. Rezoning from O1- Office & P-Parking to TZ3 - Mixed Use to allow Commercial and Residential uses which are compatible with adjacent Single-Family Residential uses.

1775, 1803, 1915, 1971, 1999, 2055, 2075 & 2151 Fourteen Mile Rd., Parcel # 2031455006, Birmingham, MI. Rezoning from O1- Office to TZ2 - Mixed Use to allow Commercial and Residential uses which are compatible with adjacent Single-Family Residential uses.

100, 124, 130 & 152, W. Fourteen Mile Rd. & 101 E. Fourteen Mile Rd., Birmingham, MI. Rezoning from B1-Neighborhood Business, P-Parking, R5-Multi-Family Residential to TZ2 - Mixed Use to allow Commercial and Residential uses which are compatible with adjacent Single-Family Residential uses.

880 W. Fourteen Mile Rd., 1875, 1890 & 1950 Southfield Rd. Birmingham, MI. Rezoning from B1-Neighborhood Business, O1-Office to TZ2 - Mixed Use to allow Commercial and Residential uses which are compatible with adjacent Single-Family Residential uses.

1712, 1728, 1732, 1740, 1744, 1794 & 1821 W. Maple Rd. Birmingham, MI.

Rezoning from B1-Neighborhood Business, P-Parking, O1-Office to TZ2 – Mixed Use to allow Commercial and Residential uses which are compatible with adjacent Single-Family Residential uses.

2483 W. Maple Rd. Birmingham MI. Rezoning from B1-Neighborhood Business to TZ2 -Mixed Use to allow Commercial and Residential uses which are compatible with adjacent Single-Family Residential uses.

151 N. Eton, Birmingham MI. Rezoning from B-1 Neighborhood Business to TZ2 - Mixed Use to allow Commercial and Residential uses which are compatible with adjacent Single-Family Residential uses.

412 & 420 E. Frank, Parcel # 1936253003, Birmingham MI. Rezoning from B1-Neighborhood Business, B2B-General Business, R3-Single-Family Residential to TZ2 – Mixed Use to allow Commercial and Residential uses which are compatible with adjacent Single-Family Residential uses.

- B. Ordinance amending Chapter 74, Offenses, Article VI, Offenses Against Public Safety, Division 2- Weapons.
- C. Resolution accepting the recommendations of the Multi-Modal Transportation Board with respect to 2016 paving projects planned by the City of Birmingham, in accordance with the Master Plan, as follows:
 - 1. Brown St. – Sharrows shall be painted on all segments of Brown St. from Southfield Rd. to Woodward Ave. Crosswalk bumpouts shall be installed as a part of future projects at the intersections of Brown St., Henrietta St., Pierce St., and S. Old Woodward Ave.
 - 2. Hamilton Ave./Park St. – Crosswalk bumpouts shall be installed at the intersections of N. Old Woodward Ave., Ferndale St., Park St., and Woodward Ave. Three additional metered parking spaces shall be installed on the north side of Hamilton Ave., between Park St. and Woodward Ave. The south side sidewalk shall be widened on the block between Park St. and Woodward Ave. to enhance the streetscape.
 - 3. Haynes St. & Torry St. intersection – A new handicap ramp shall be installed in the northeast section of the intersection (in front of 1601 Haynes St.), and the pavement markings for the crosswalk shall be removed and relocated to match the new and existing ramps at the east leg of the intersection.
- D. Resolution to meet in closed session to discuss land acquisition pursuant to Section 8(d) of the Open Meetings Act.

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

IX. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of Intention to appoint a member to the Museum Board on September 21, 2015.

- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

XI. ADJOURN

NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al [\(248\) 530-1880](tel:(248)530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).

INFORMATION ONLY