

**BIRMINGHAM CITY COMMISSION / PLANNING BOARD
JOINT WORKSHOP SESSION MINUTES
JUNE 10, 2013
DPS FACILITY, 851 SOUTH ETON
7:30 P.M.**

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

George Dilgard, Mayor, called the meeting to order at 7:30 p.m.

II. ROLL CALL

ROLL CALL OF CITY COMMISSION:

Present, Mayor Dilgard
Commissioner McDaniel
Commissioner Nickita
Commissioner Rinschler

Absent, Commissioner Hoff
Mayor Pro Tem Moore
Commissioner Sherman

ROLL CALL OF PLANNING BOARD:

Present, Mr. Boyle, chairman
Mr. Clein
Mr. DeWeese
Mr. Koseck
Ms. Lazar
Ms. Whipple-Boyce
Mr. Williams

Absent, Mr. Afrakhteh, student representative

Administration: City Manager Bruner, Attorney Currier, Recording Secretary Salutes, Assistant City Manager Valentine, Planning Director Ecker

III. ITEMS FOR DISCUSSION

TRANSITIONAL ZONING

Ms. Ecker advised one of the things that came up as a result of the conditional rezoning application for 404 Park St. was whether conditional rezoning should be done in Birmingham. The direction that the Planning Board is currently pursuing encompasses the creation of a Zoning Transition Overlay Ordinance; and secondly, developing a map to determine which parcels this Overlay District would apply to. The focus would be on the form of the development, additional setback from residential, use restrictions, increase of buffering requirements, design review requirements, streetscape and right-of-way issues. At this time the Planning Board wants to make sure the Commission feels they are going in the right direction.

Mr. Boyle observed that as the market picks up it is the transitional areas abutting single-family residential that will be coming before them. Rather than dealing with these parcels on their

individual merits, the board thinks that by going through this process they will end up with a better result than trying to do something quicker.

Ms. Ecker noted the timing is good because they just did a Sub-Area Plan for 404 Park and there are now some professional recommendations as to how to deal with several properties in that area. Also, the S. Woodward Gateway Project is underway. The main problem centers on the major commercial districts. Extra categories may need to be crafted for parcels that are particularly unique.

Mr. Boyle said this provides the opportunity to express in the ordinance the form and position on a site. It sends a clear signal to potential developers of a piece of property and will overcome confusion.

Commissioner McDaniel expressed his opinion that the board is on the right track.

Mr. Williams noted that the three major issues being addressed relate to density, enforcement of buffers, and height. He thinks the area between Southfield and Pierce along Brown is an appropriate blend of what works and what is acceptable.

Commissioner Rinschler echoed Commissioner McDaniel's comments that this is clearly the right way to go. They will have set the expectations for both the developers and the residents.

It was discussed that the issue of allowing contract zoning in Birmingham has been dismissed and rather than the developer setting the standards, the City will set them by use of the overlay. Commissioner McDaniel hoped to have a firm policy of never rezoning from residential to commercial classification.

Commissioner Nickita observed that over the years Birmingham has held the line on any type of rezoning and adhering to their plan. He thinks there are some general criteria than can be identified, but ultimately specific conditions and issues must be addressed for each property.

Mr. DeWeese added that getting into the detail for individual situations will take some time. Commissioner Nickita said he is comfortable with that.

Dorothy Conrad stated that contract zoning is a terrible idea. She believes they have to look at the commercial uses being allowed next to residential properties.

Kevin Denha, the owner of buildings at 700 N. Old Woodward Ave. and on the corner of Lincoln and Adams, asked the Planning Board to look at including specific precise uses that are not currently allowed in the District, such as yoga, spinning, and a personal training facility.

Commissioner McDaniel noted uses change over time. He thinks what they need are some general rules that govern the types of businesses that will be allowed. Mr. Williams thought a list of what is not wanted is easier to construct and more productive. Ms. Conrad pointed out that it isn't so much the use; it is the hours of operation, and they can be controlled.

MULTI-MODAL TRANSPORTATION MASTER PLAN

In response to Commissioner McDaniel, Ms. Ecker elaborated on one of the recommendations in the document that changes the Multi-Modal Steering Committee into a standing committee that would make recommendations on plans before they come up before they come to the City

Commission. City Manager Bruner indicated he is insisting on that process. The committee will oversee the implementation of the Multi-Modal Master Plan, project by project.

Mr. Clein noted he was the Planning Board representative to the Steering Committee. He took the recommendation related to that committee not to mean it would be made up of the exact same people that originally served; but more to mean that a committee is needed.

Commissioner McDaniel said to make sure that on the residential streets there is a reasonable complement of residents participating in the process. Ms. Ecker explained the City Commission would have the opportunity to look through the membership of the committee and the ordinance details.

Commissioner Rinschler had some concerns that the consultant has not encompassed the entire population of Birmingham. He thought that the consultant's background of data and facts should appear in the report in order to convince people why implementation of the plan is needed. Further, he felt this is a bicycle plan rather than a plan for the different ranges of people that come downtown, or the parking issues. Also, he is looking for more expertise from the consultants about how they will handle the inherent conflict between bicycles and pedestrians, and between bicycles and cars. Further, he is having difficulty with supporting the plan because it doesn't address some of the issues that will result in inconvenience for motorized transportation.

Mr. Clein stated the main reason to do this plan is to separate bicycles from the sidewalks, so as to minimize injuries.

Mr. Boyle did not see anything about slowing down the traffic or adding pedestrian crossings to allow people to cross from E. Birmingham to W. Birmingham on Woodward Ave., particularly at Oak. This supports the need for a committee to review specific issues.

Commissioner Nickita agreed with Commissioner Rinschler that the plan is clearly bicycle oriented. He questioned whether this is the tool they would have needed to get to three lanes on E. Maple Rd., because they will need that tool for a decision on Lincoln

Ms. Ecker said one of the points in the RFP was that bicycling has not been discussed. So, they were working from a deficit position with regards to the bicycle part of the Multi-Modal Plan. The scope of the project was just to look at the problem intersections. Further, the difficulty with crossing Woodward is that it is a State road and the City does not have control over it.

Ms. Whipple-Boyce also felt the report is bike-heavy. Ms. Lazar's sense was to look at the biking more as a recreational mode of transportation as opposed to a method of commuting.

Paul Reagan said that sooner or later people will realize there are two Birminghams: east and west. He encouraged the boards to be proactive and hire a lobbyist to take on M-Dot.

Commissioner Rinschler suggested having a more protracted public process in order to refine the Plan before accepting it. City Manager Bruner said that on June 24 the City Commission will discuss setting its public hearing.

Mr. Williams said that the Plan needs to speak to Woodward Ave. which is a huge problem for the City. Commissioner Nickita pointed out that Woodward Ave. is currently being addressed

with the Complete Streets Plan. He thinks M-Dot is ready to hear them now and the communities along Woodward Ave. need to step up.

Commissioner Rinschler summed up that what is needed is a straight forward and understandable executive summary as to why this plan is important - the mission, goals, and principles.

Dorothy Conrad commented that a better plan is needed to cross Maple Rd. from Eton to Adams.

V. PUBLIC COMMENT

VI. ADJOURN

The Mayor adjourned the meeting at 9:20 p.m.

Carole Salutes, Recording Secretary