
**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, NOVEMBER 13, 2013**

Item	Page
No motions were passed.	

APPROVED

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, NOVEMBER 13, 2013
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held November 13, 2013. Chairman Robin Boyle convened the meeting at 6:32 p.m.

Present: Chairman Robin Boyle; Board Members Scott Clein, Carroll DeWeese, Bert Koseck, Janelle Whipple-Boyce, Bryan Williams; Student Representative Arshon Afrakhteh

Absent: Board Member Gillian Lazar

Administration: Matthew Baka, Sr. Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

11-186-13

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING
HELD OCTOBER 9, 2013**

Motion by Mr. Clein

Seconded by Mr. DeWeese to accept the Minutes of the Regular Planning Board Meeting of October 9, 2013 as presented.

Motion carried, 6-0.

VOICE VOTE

Yeas: Clein, DeWeese, Boyle, Koseck, Whipple-Boyce, Williams

Nays: None

Absent: Lazar

11-187-13

CHAIRPERSON'S COMMENTS

The chairman thanked everyone for being present at such an early hour.

11-188-13

APPROVAL OF THE AGENDA (no change)

11-189-13

PUBLIC HEARING

TO AMEND ARTICLE 03, OVERLAY DISTRICTS, SECTION 3.07 (TABLE 3.07 TRIANGLE OVERLAY DISTRICT LAND USE MATRIX), TO REMOVE TOBACCONIST AS A PERMITTED COMMERCIAL USE IN THE TRIANGLE DISTRICT

The chairman opened the public hearing at 6:34 p.m.

Ms. Ecker advised that on October 9, 2013 the Planning Board set a public hearing date of November 13, 2013 to consider a change in Permitted Use in Article 3, Section 3.07, the Land Use Matrix, of the Triangle District Overlay in the Zoning Ordinance. The proposed change would eliminate the commercial use of Tobacconist from the Triangle District. The Planning Board is currently considering a Zoning Transition Overlay District that would also eliminate tobacconist as a permitted use in this proposed district. Hookah bars are considered under the definition of "tobacconist" in the City and they are only allowed in the MX and O-2 Zoning Districts.

Mr. DeWeese received clarification that to be considered a tobacconist business tobacco sales would have to be the primary use.

Ms. Whipple-Boyce indicated she had a problem with the lack of a clear definition and would like to see a clean definition of "tobacconist" as well as the definition of a hookah bar. She is uncomfortable restricting the use when it comes to a small scale tobacconist that might sell products that have to do with smoking.

The chairman took comments from members of the public at 6:43 p.m.

Ms. Alice Thimm asked if these establishments will be permitted in O-2 properties in the Downtown Overlay District. Ms. Ecker said a new use would have to follow the Overlay standards on properties zoned O-2 and there are only a couple. However, it is the Triangle District that is presently being considered. Ms. Thimm said it is a drawback to have tobacco stores anywhere.

Chairman Boyle suggested asking staff to come forward with the definition of a tobacconist and a definition of the activity that would occur in a hookah bar. Mr. Williams observed there are no definitions in the zoning for a lot of activities. As part of Transitional Zoning, these concepts will be discussed later in the agenda.

The chairman closed the public hearing at 6:58 p.m. This matter will come back at a later date.

11-190-13

STUDY SESSION

Courtesy review of Library renovation

Presentation by Jim Mumby, Quinn Evans, Architects

Mr. Doug Koschik, Director of the Baldwin Library, began by offering a timeline of the Library building project. There has been no comprehensive work done on the building since the early 1980s. However, for a period of about ten years, a number of ad hoc projects have been completed without a master plan. In 2012, the City Commission asked the Library Board to study community needs and wishes and a Joint Library Building Committee ("JLBC") was established. In 2013, the City Commission approved hiring of Quinn Evans Architects ("QEA") who worked with JLBC to develop a conceptual building plan.

Part of the research they did was benchmarking to compare Baldwin to seven other libraries that they considered to be peer libraries comparable in aspirations and nature of the clientele. From all of that research, a Building Program was created that listed several key elements:

- Preservation of original 1927 building
- Larger Youth Room
- More study rooms and collaboration space
- Inviting public entrance at ground level
- Full ADA/stroller accessibility
- Improved layout and space flexibility
- Enhanced lighting and acoustics
- More storage and staff space

Mr. Koschik then turned the presentation over to Mr. Jim Mumby of Quinn Evans Architects. Mr. Mumby explained the site considerations and went through the three previous phases of construction. Each architect put in a new entrance and each architect tried to hide what the others had done. The oldest building was the most flexible when it came to library planning and design.

Mr. Mumby commented upon the reasons why they propose to deconstruct the 1960 addition and the 1981 Gunnar Birkerts addition. The State Historic Preservation Office has endorsed their approach. They hope to bring as much of the 1927 building as they can back to the community and use it as the foundation for the entire project. It was originally a building in a green space so they plan to keep as much green space around the building as they can and clean up some of the elements along Martin St. The proposed entrance is off of Merrill St. and all of the service and mechanical is on the Chester St. side. They are able to restore the east bay window so that adults will have a view into Shain Park. The intent is also to create outdoor seating facing Shain Park.

Their job is to set a framework to execute the project and then establish cost and an approach that allows it to be implemented; not to come up with a final design.

Mr. DeWeese referred to a communication from Mr. David Bloom who asked how the proposal relates to the underlying needs of the Library. Mr. Mumby said the need is for the library to become a community center and social gathering area. Mr. Koschik explained that in 2011 and 2012 they took a survey and received over six hundred responses. A couple of community forums have been held along with four focus groups and input has been compiled from those. They did site visits and benchmarking against other libraries. Then a consultant was hired to take the research and apply his knowledge of libraries and create a 64 page Building Program that was accepted by the Library Board and also by the City Commission. Eventually, Quinn Evans was hired to develop conceptual drawings and cost estimates based on the Building Program. Whether this suits the real needs of the citizens will ultimately be decided by a vote.

Mr. Mumby noted that the need may be for seating and technology to increase over time at the expense of collections. It is their responsibility to provide an infrastructure that adapts to that. This is a perfect location for a library. Mr. Koschik noted the building will be roughly 56,000 sq. ft. for a service population of 35,000. He indicated that in the 1990s usage declined but presently their usage is considerably higher than it was 20 years ago.

Chairman Boyle inquired why their proposal turns the entry off of the main street which is Martin. Mr. Mumby replied that preservation of the Grand Hall was prioritized in the public discussions. It was the main reading space in the 1927 building. Because of the need for circulation functions, locating an entrance on that side destroys what the community has placed value on as a grand reading hall.

Mr. Koseck encouraged the architect to do everything possible to provide opportunities for people to see into the building. He advocated giving up three or four parking spaces in front because that would contribute to the project and add safety.

At the request of Mr. DeWeese, Mr. Mumby described their plans to keep the library operational during construction.

Mr. Boyle asked for public comments at 7:50 p.m.

Mr. Bob Ziegelman, 968 Stratford Lane, said there is no attention to where people are coming from, where they will park, how they will enter the building, and how the building fits within the fabric of the core of the City. Martin St. is the connector.

Mr. David Bloom, on Stanley, said the scale and height of the proposed library will overpower the Community House. The Birkerts addition doesn't do that because it is one story. An auditorium is proposed; however, there are two other auditoriums in the high schools that are larger and already paid for. The plan was designed for 35,000 people, but only 20,000 people will be paying for it. Those people who aren't going to pay should not have a voice.

Mr. Irving Tobocman, 439 Greenwood, was disturbed about the northwest elevation across from Shain Park. He proposed taking the southeast corner and transferring it into that area in the northwest corner. Then there would be a clear swath of green which would relate to Shain Park.

Mr. Williams agreed with Mr. Tobocman. He thinks the orientation is in the wrong direction. The goal should be to tie into Shain Park and to City Hall across the way. His sense is that the view from the Community House is unattractive.

Mr. Clein disagreed. He thought the design was well thought out. After hearing the explanations he feels it respects the original building and fits into the urban context.

Mr. DeWeese said he would like to see more pedestrian scale detailing on the outside so that the building doesn't seem so overpowering.

Ms. Whipple-Boyce who is a member of the JLBC thought this plan will come back for another review after a vote by the public. There are a lot of reasons that Quinn Evans put the entrance where they did as far as preserving, restoring, and re-introducing what is missing in the 1927 building and what is presently covered up. Quinn Evans has done an excellent job of giving the City what was asked for.

Mr. Koseck said he would like to see the entrance on Martin St. and then be told why that cannot function on the interior.

Mr. Mumby announced that he is not afraid of the scale of the building or how it will ultimately relate to the Community House. The design will change and mature over time.

The chairman hoped to see the plan back before the Planning Board at some future meeting. He thanked the presenters for their time.

The board took a brief recess at 8:15 p.m.

11-191-13

STUDY SESSION

Woodward Complete Streets Project

**Presentation by Jason Fowler, Economic Development Program Manager,
Woodward Ave. Action Assoc. ("WA3")**

Mr. Fowler announced their mission is to promote, enhance, and preserve the historic Woodward Ave. Corridor. He offered a brief background. The WA3 is comprised of board members from every municipality along the Corridor, Wayne County, Oakland County, M-DOT, along with other institutions and interests. In 2011, the WA3 was awarded a \$752,000 grant from the Federal Highway Administration to conduct the Woodward Ave. Complete Streets Master Plan.

The Complete Streets project, the Transit Oriented Development project, and the Alternatives Analysis that is run by SEMCOG are separate projects but are very symbiotic.

Parsons Brinkerhoff was selected as lead consultant for Complete Streets.

Complete Streets means planning for all users on the street: pedestrians, bicyclists, children, the disabled, rapid transit users, and business owners. This is a nationally recognized concept that both M-DOT and local municipalities have started adopting. Studies show that utilizing this concept will start to improve economic development and ultimately property values.

The consultant has held charettes to give the public an opportunity to interact with the entire consulting team and to offer input that would shape the plan to come. Also, presentations, a walking and a bicycling audit, focus groups, and a community image survey were conducted.

After all of the preliminary analysis was done, they have created a draft conceptual plan based on planning data and comments that were accumulated.

Options for various intersections were presented. Mr. Fowler pointed out they have placed the Bus Rapid Transit in the median as a place holder because it is the most difficult design option to plan around. If all goes according to schedule, they are hoping to have a final document by Spring 2014.

Chairman Boyle questioned to what extent this project will provide the opportunity to make Birmingham a walkable community by more conveniently connecting the neighborhoods on the east with the neighborhoods on the west. Mr. Fowler responded that the plan will include phased recommendations that will enhance walkability and connectivity.

Ms. Whipple-Boyce asked how successful the overall plan can be if the proposed buildings cannot be built because of the lack of parking. Are there proposals for additional parking in the plan. Mr. Fowler answered it is up to each individual community whether they want to institute more transit oriented design theories that would lead to this type of development, and whether they would also start accommodating off-corridor parking. If access to businesses is improved through all other uses, then the dependence on the automobile and parking is lessened.

Ms. Ecker advised the Bus Rapid Transit Plan should be completed by Spring and that will enable the other plans to be filled in.

Mr. Williams said in today's world three lanes is not practical along Woodward Ave. If the green space is not reduced, there will be traffic jams. Mr. Fowler said there will never be a bike lane adjacent to cars. Traffic studies have shown that the fourth lane is

needed in Royal Oak - Fourteen Mile to Twelve Mile. There are a lot of things they can do to improve how the street functions.

Mr. Clein thought that three lanes will work, except at Thirteen Mile Rd. In relation to the proposal that has been put forth for improvements in Birmingham, there are really no improvements in his opinion. He supports the two-way bike use on each side. However, he cannot stress enough how much he thinks the service drives in Birmingham need to go. They do not lend themselves to vehicular or pedestrian safety. Instead, allow parking access off of Woodward Ave. Mr. Williams said that in order for Birmingham to come up with a comprehensive plan, they have to address the parking issue. He agrees with Mr. Clein that the Birmingham plan is terrible. To him it doesn't look like any change. The only difference is that the middle section has been taken away to add the BRT lane, and two-way bike lanes have replaced car lanes. The ingress/egress to the businesses is still preserved.

No one from the public wished to comment on this matter at 9:08 p.m.

Consensus of the board on the way to go based on the options that were put forward was to discontinue the service drive, convert to on-street parallel parking and add two-way bike lanes on each side and a tree median.

11-192-13

STUDY SESSION

Transitional Zoning

Mr. Baka recalled the Planning Board has held several study sessions over the past several months in order to refine the maps identifying potential transition areas and the overlay ordinance language that could be applied to those areas. The studies have resulted in four transition overlay zoning classifications. Depending on the conditions present at each site, the overlay zones have been applied based on what is considered to be the appropriate height, bulk and use standards. Maps for each area prepared by LSL Planning have been discussed in detail at several study sessions. At the public hearing on October 9, 2013 issues were raised that the Planning Board determined required further review:

- Revisit the list of proposed permitted uses to determine if additional uses should be added. Some uses which were cited at the public hearing have been added to the draft ordinance - bookstore, drugstore, drycleaner, food and drink establishment, grocery store, hardware store.

It was concluded that the following permitted uses under 3.19 will need definitions: artisan use, boutique, essential services, parking, social club, indoor recreational facility, pharmacy, specialty food store.

Under 3.18 Applicability A (3) add the words "to the maximum extent practical."

- Permit the construction of single-family homes in ASF Zones that were previously zoned for such.

Language has been added to allow SF homes in those areas.

- Allow setbacks greater than 5 ft. in the ASF Zones. The board may wish to consider this provision to be contingent on Planning Board approval. 5 ft. minimum setback has been provided.

Under 3.20 Height and Placement Requirements (A) ASF-2 District Development Standards, should have read "0 to 5 ft. minimum front yard setback." However it was decided to give flexibility in the front yard, but protect the back and sides.

- Provide ordinance language that ensures developments that take place on corner parcels will be oriented toward the dominant street on that corner. Language has been added to the draft ordinance that incorporates the street hierarchy.

That language was clear.

- Interior parcels on residential streets should have a front setback equal to the homes on that street. That language has been added to the draft ordinance.

It was agreed that the side yard setbacks directly adjacent to residential should be considered in addition to the front yard issue on interior lots.

Make the Christian Science church at the corner of Maple Rd. and Southfield Rd. ASF-3.

- ASF Zones should permit multi-family developments provided that they meet setbacks and development standards set forth for that zone.

That was agreed and language has been incorporated into the draft ordinance.

- The rear setback for MU-2 was increased from 15 ft. to 20 ft. Rear setback has been increased to 20 ft.

Board members agreed.

- What should the maximum size limit be for commercial uses.

If the space is existing, but the use is changing, then it is grandfathered in on parcels up to a certain amount of sq. ft. For those that are larger, like Adams Square, it is different. Adams Square should have its own zone.

- Should additional O-1 and O-2 properties be included? Such parcels not currently under consideration follow along with the decisions that were made:
 - O-1 parcel on Southfield Rd. at Martin - in.
 - O-1 parcel on E. Lincoln @ Woodward Ave.- in.
 - O-1 parcel @ 2100 E. Maple Rd.- out.
 - O-2 parcels north of Ravine on N. Old Woodward Ave.- out.
 - O-2 parcels on Brown west of Pierce - in.

The chairman summed up what has been done up to this time. A public hearing was held and the board realized there were a number of issues and definitions that needed work. Those have been brought back to this board and decisions have been made. They will be included for the next public hearing.

Members of the public were invited to speak at 10:06 p.m.

Mr. Jim Partridge, owner of several parcels on Adams Rd. south of the shopping center, agreed that the shopping center should not be in the discussion. There is opportunity to look at the three or six small parcels on the east side of Adams Rd. as part of the entry into the City. He doesn't see them ever being developed, except as one as long as it is not shrunk back from the residential property line so much that it can't get the return on the rent.

Ms. Alice Thimm did not think the previous speaker understands that he shouldn't be concerned. In response to her several inquiries, the chairman said the board has worked through and now is asking staff to go back and clarify definitions, uses, setbacks, heights, use of previous ordinances, etc. This will ensure a more complete package will be brought to the public and the board at the next public hearing.

Mr. Jim Partridge asked if it would be possible to start these discussions early in the meeting so more people would participate. Chairman Boyle said the next time this topic is on the agenda it will be a continuing study session with the expectation that the public hearing will be set at the end of deliberations.

11-193-13

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

11-194-13

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

- a. Communications (none)
- b. Administrative Approvals

- 820 E. Maple Rd., All Seasons of Birmingham - Approval for temporary parking lot for construction workers. Fencing no higher than 4 ft.
- 2295 E. Lincoln, Quality Coach Collision - Paint rooftop ventilation stacks to match existing building color.
- 2425 E. Lincoln, Sayed Properties, Omit two large rooftop units, install split system HVAC with furnaces inside building and 6 ft. condensers on roof. Building roof elevation changes and parapet grate required screening of equipment.
- 266-288 W. Brown, Williamsburg Arms:
 - 1) Remove existing asphalt driveway, replace with cement, same footprint as existing.
 - 2) Remove three 3 ft. x 5 ft. cement slab walkways from front lawn areas (City property). Replace two east slabs, same footprint, fill in west area with dirt and grass.
- 995 S. Eton - Approval of variety of changes for plant material.
- 294 Brown St., Coldwell Banker Weir Manual - For chili tasting luncheon October 3 and October 4, 2013 - 9 a.m. to 5 p.m.

Ms. Ecker presented an informal request from the Balmoral Bldg. for administrative approval. The site is located on Woodward Ave., south of Peabody's. The idea is to achieve a cleaner looking building. Sunscreens are proposed to replace awnings. The biggest issues are shifting the top floor residential unit, addition of a recessed stone panel with grid work at the top, taking the elevator to the roof, and material changes. Board members concluded these are substantial changes and the applicant should return for Revised Final Site Plan Review.

- c. Draft Agenda for the Regular Planning Board Meeting on December 11, 2013
 - Bistro Application for The Mad Hatter;
 - Balmoral Bldg.; and
 - Frank St.
- d. Other Business (none)

11-195-13

PLANNING DIVISION ACTION ITEMS

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

11-196-13

ADJOURNMENT

No further business being evident, board members motioned to adjourn at 10:35 p.m.

Jana Ecker
Planning Director

APPROVED