

**BIRMINGHAM CITY COMMISSION  
LONG RANGE PLANNING AGENDA  
JANUARY 26, 2019  
MUNICIPAL BUILDING, 151 MARTIN  
8:30 A.M.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Patty Bordman, Mayor

**II. ROLL CALL**

J. Cherilynn Mynsberge, City Clerk

**III. DISCUSSION ITEMS**

- I. 8:30 AM – 9:10 AM Finance**
  - A. Five-Year Financial Forecast (under separate cover)
  - B. Birmingham Reinvestment Opportunities
  
- II. 9:10 AM – 10:00 AM Public Services**
  - A. Parks & Recreation Improvement Funding
  - B. Water Portal
  - C. Maple/Eton Bridge Enhancements
  - D. Cape Seal Project Planning
  - E. Ad Hoc Unimproved Street Study Committee
  
- III. 10:00 AM – 11:30 AM Planning**
  - A. City-wide Master Plan Update
  - B. Retail Regulations
  - C. Alley Regulations
  - D. Multi-Modal Initiatives
  - E. Downtown Parking Study
  - F. North Old Woodward Parking Structure and Bates Street Extension
  
- IV. 11:30 AM – 12:15 PM Engineering**
  - A. Backyard Sewer and Water Master Plan
  - B. Second water meter analysis
  - C. City street projects
  
- V. 12:15 PM – 12:30 PM Lunch Break**
  
- VI. 12:30 PM – 12:45 PM Birmingham Shopping District**
  - A. Downtown Retail Attraction Program
  
- VII. 12:45 PM – 1:00 PM Fire Department**
  - A. Departmental Enhancements
  
- VIII. 1:00 PM – 1:15 PM Police Department**
  - A. Departmental Enhancements

- IX. 1:15 PM – 1:30 PM Building Department**  
A. Short term rentals  
B. Service remodel improvements
- X. 1:30 PM – 1:45 PM Library**  
A. Building Renovations - Phase 2 Plan Proposal
- XI. 1:45 PM – 2:15 PM Birmingham Museum**  
A. Strategic Plan Update  
B. Historical Collaboration
- XII. 2:15 PM – 2:30 PM**  
A. Adult Services Long Term Planning  
B. Enhanced Email Communications

<b>IV. PUBLIC COMMENT</b>
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<b>V. ADJOURN</b>
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*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).*



**City of Birmingham**  
**Five-year Financial Forecast**

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**Years Ending June 30, 2019 through June 30, 2023**

City of Birmingham, Michigan  
Five-year Financial Forecast  
Table of Contents

Independent Accountant’s Report ..... 1

Project Summary ..... 2

Five-year Financial Model:

    General Assumptions and Information..... 3

    Description of Infrastructure Needs ..... 4-6

General Fund:

    Assumptions..... 7-10

    Historic and Estimated Financial Operations..... 11-13

Major and Local Streets Funds:

    Assumptions..... 14-17

    Historic and Estimated Financial Operations - Major Streets Fund ..... 18

    Historic and Estimated Financial Operations - Local Streets Fund ..... 19

Water and Sewer Funds:

    Assumptions..... 20-21

    Historic and Estimated Financial Operations - Water Fund ..... 22

    Historic and Estimated Financial Operations - Sewer Fund ..... 23

Appendices:

    A. Community Profile..... 24-42

    B. Estimation of Property Tax Revenue..... 43

    C. Property Tax Assumptions ..... 44-45

Graphs ..... 46-52

## Independent Accountant's Report

To the Honorable Mayor  
and City Commission  
City of Birmingham, Michigan

Management is responsible for the accompanying five-year financial forecast of the City of Birmingham, Michigan's (the "City") General Fund, Major Streets Fund, Local Streets Fund, and Water and Sewer Funds for the years ending June 30, 2019 through 2023, including the related summaries of significant assumptions and accounting policies, in accordance with guidelines for the presentation of a financial forecast, as established by the American Institute of Certified Public Accountants. In addition, management is responsible for the accompanying community profile, estimation of property tax revenue, property tax assumptions, and graphs (as listed in the table of contents). We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants. We did not examine or review the forecasted financial statements, nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these forecasted financial statements or the underlying assumptions.

Historical data for fiscal years 2014-2015 through 2017-2018 has been compiled from the City's Comprehensive Annual Financial Reports, upon which we performed audit engagements.

The forecast does not present all significant measures that would be included in a complete set of forecasted financial statements (statement of net position and statements of revenue, expenses, and changes in net position and cash flows). Accordingly, this forecast is not designed for those who are not informed about the City's financial position, results of operations, and cash flows.

The forecasted results may not be achieved, as there will be differences between the forecasted and actual results, because events and circumstances frequently do not occur as expected, and those differences may be material. We have no responsibility to update this report for events and circumstances occurring after the date of this report.

The accompanying financial forecast and this report are intended solely for the information and use of the City of Birmingham, Michigan and are not intended to be and should not be used by anyone other than the specified party.

*Plante & Moran, PLLC*

January 17, 2019

## **Project Summary**

The results of the analysis should be considered within the appropriate context. Essentially, the financial results for future fiscal years should be viewed only as financial estimates, derived from the best available financial information at this particular point in time. Considered in this light, the financial plan provides a benchmark from which to monitor and evaluate ongoing financial trends and results. The five-year financial forecast is updated on an annual basis by the City of Birmingham, Michigan (the “City”). This allows the City to capture changes from the prior year in order to evaluate the long-term financial implications of various financial scenarios. This forecast is utilized to assist the City Commission on decisions regarding the scope and timing of future capital projects. The amounts and timing of future capital projects, as disclosed in this forecast, are sensitive estimates and changes in these estimates could have a significant impact of the forecasted fund balances in the General Fund, Major Streets Fund, Local Streets Fund, and Water and Sewer Funds.

For the purpose of the General Fund and Major and Local Streets funds, the level of projected fund balance is typically used as the barometer to measure likely future financial strength. In general, a level fund balance indicates a stable financial condition. A decreasing or negative fund balance indicates a financial situation that the City will have to monitor closely in the coming years; it does not indicate that we believe an actual fund deficit will occur.

## **Utilizing the Financial Model**

The financial forecast has been developed as an automated spreadsheet program. As such, it provides the City with the ability to test alternative financial scenarios related to both revenue and expenditures.

## **Closing Comments**

The financial forecast that has been presented this year shows continued improvement in the City’s financial outlook. After a low point in revenue reached in 2011-2012, the City has seen six years of revenue growth. This is expected to continue in the future, with the increases led by property tax revenue. Also, continued development (or redevelopment) is further strengthening the City’s tax base.

On the expenditure side, total costs are impacted significantly by the amount of planned capital projects, as well as the cost of personnel services. The forecast shows that the resources available to the City will be sufficient to fund the projects that are currently planned to be undertaken.

The City's General Fund fund balance policy is that unassigned fund balance is to be maintained at an amount no less than two months, or 17 percent, of General Fund operating expenditures and no more than the equivalent of 40 percent of General Fund operating expenditures. The General Fund’s unassigned fund balance is currently above the City Commission's range, but is forecasted to be within the range for the years ending June 30, 2019 and 2020. The General Fund’s unassigned fund balance is forecasted to be above the range for the years ending June 30, 2021 through 2023.

The City of Birmingham, Michigan continues to be an example of strong fiscal management. With careful planning and investing, the City will be able to remain a positive model to other communities and to maintain the strong bond rating that is a result.

## **General Assumptions and Information**

- Historical data for fiscal years 2014-2015 through 2017-2018 has been compiled from the City's audited financial reports.
- Assumptions are based on management's judgment given the most recent and best information known at the time of completion of this forecast, which was January 17, 2019. Because these projected results are based on management's estimates and assumptions, actual results will likely differ from what is projected.
- The assumptions presented are what management considers to be "significant assumptions" and are not all inclusive.
- Estimates for fiscal years 2018-2019 through 2022-2023 were developed based on the City's current budget and adjusted for inflation to determine future results. Nonrecurring capital outlay purchases and significant encumbrance rollovers from 2017-2018 have been excluded from future projections. Significant exceptions to this method are noted in the specific assumptions on the following pages.
- An annual inflation factor of 1.5 percent for revenue and 2.0 percent for expenditures for fiscal years 2018-2019 through 2022-2023 is utilized throughout the financial forecast.
- Data has been collected and financial estimates have been developed utilizing a number of expert sources, including the city finance director and department heads, State of Michigan departments, and other professional sources.

## **Basis of Accounting**

Data has been presented using the modified accrual basis of accounting, which is the basis of accounting used in preparing the annual budget. Revenue is recognized when it is both measurable and available. Revenue is considered to be available if it is collected within 60 days. Disbursements for nonfinancial assets (capital outlay) are recorded as expenditures. Expenditures are recognized when a liability is incurred; however, expenditures for debt service principal and interest, compensated absences, and claims and judgments are recorded only when the payment is due. The Water and Sewer Funds have been presented using a basis of accounting that is different than the basis of accounting used in the City's historical financial statements. The Water and Sewer Funds have been presented in a manner to assist the City in forecasting the net cost of services throughout the forecasted period to coincide with the City's rate-making methodology. The Water and Sewer Funds also include depreciation expense, consistent with the City's rate-making methodology.

## **Description of Infrastructure Needs**

### **Overview of Projected Infrastructure Costs**

The Department of Engineering has provided estimated costs for street improvements along with associated water and sewer improvement costs for the period from 2019-2023. The following, subject to approval, is a summary of estimated infrastructure improvement costs by fiscal year not including 2018-2019 projects either in progress or completed as of December 31, 2018:

<b>FISCAL YEAR</b>	<b>MAJOR STREETS</b>	<b>LOCAL STREETS</b>	<b>WATER FUND</b>	<b>SEWER FUND<sup>i</sup></b>	<b>TOTAL</b>
2018-2019 <sup>ii</sup>	\$980,000	\$1,364,400	\$775,000	\$1,227,000	\$4,346,000
2019-2020	\$4,635,000 <sup>ii</sup>	\$725,000	\$1,990,000 <sup>iii</sup>	\$3,025,000	\$10,375,000
2020-2021	\$1,160,000	\$2,585,000	\$2,395,000	\$350,000	\$6,490,000
2021-2022	\$4,633,000	\$1,715,000	\$1,695,000	\$800,000	\$8,843,000
2022-2023	\$2,050,000	\$1,645,000	\$1,065,000	\$1,070,000	\$5,830,000

### **Streets**

The Department of Engineering believes that the level of spending shown above is needed to allow the City to maintain its investment in streets. Failure to maintain streets at this level could result in streets deteriorating faster than the City can replace them in the future. Individual planned street projects are listed in the Major and Local Streets funds section beginning on page 14.

### **Sewage Disposal System**

In 2011, the City Commission endorsed a backyard sewer and water master plan. The goal of the plan was to abandon or rehabilitate most public sewers and water mains located in backyards by 2019. The key components of this eight-year plan included the following:

- Address all backyard facilities to greatly reduce the chance of unexpected failures and emergency work, as well as the private property damages that go along with such events.
- Provide additional sewer capacity to the system in general in these neighborhoods where deficiencies currently exist.

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<sup>i</sup> Fiscal years 2018-2019 through 2019-2020 for the Sewer Fund include funding for backyard sewer lining of \$250,000 and \$750,000, respectively.

<sup>ii</sup> This amount includes \$550,000 for traffic signal replacement on Maple Rd. between Chester St. and Woodward Ave.

<sup>iii</sup> Fiscal year 2019-2020 for the Water Fund includes \$175,000 for the Hunter Water Tower refurbishment and \$150,000 to demolish the Derby Water Tower.

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

- Replace or rehabilitate permanent pavements and water mains in the study area that are also in need of work
- Divert storm water flows away from the combined sewer system for significant acreage in the Evergreen-Farmington District in order to reduce sewage treatment and retention basin maintenance costs

In 2018, 16 out of 30 blocks with backyard sewers (53 percent) were repaired and lined to greatly improve the reliability of these sewers into the future.

In 2019, several more blocks are planned for lining. In addition, the next phase of a sewer project is planned for construction, allowing the diversion of additional storm water flows in the Quarton Lake Subdivision (north of Oak St.) out of the combined sewer system.

Finally, additional effort at acquiring easements will have to continue to allow for more lining in the future.

### **Water Distribution System**

Ongoing improvements to the water system are planned in conjunction with street renovation projects subject to City Commission approval.

### **Other Current and Future Projects**

#### **Corridor Improvement Authority**

The City Commission has created a Corridor Improvement Authority (the “Authority”) to accommodate expanded business development in the City’s Triangle District, which is an area of emerging business growth. The Corridor Improvement Authority has been charged with the task of developing public parking facilities in the Triangle District to help spur additional economic development as the Triangle District Urban Plan is implemented. The initial focus will likely include the construction of an approximately 350-space public parking structure. It is anticipated that funding for the parking structure will be provided by a bond issue which will be repaid through tax increment financing, special assessment and user fees. At present, the City is seeking opportunities in the Triangle District for development. Once a development plan is in place, tax incremental financing will commence, and revenue from captured taxes will begin. It is unknown at this time when this will occur; therefore, the forecast does not reflect any tax capture for the Authority.

#### **Streetlights**

New streetlights are proposed in conjunction with planned downtown renewal projects. The estimated costs are as follows:

Maple Rd. - Southfield Rd. to Woodward Ave.	\$325,000 in fiscal year 2019-2020
S. Old Woodward Ave. - Brown St. to Landon St.	\$460,000 in fiscal year 2021-2022

See accompanying summaries of significant assumptions and accounting policies and independent accountant’s report.

## **Alleys and Sidewalks**

In 2018-2019, sidewalks and streetscape improvements were completed on Old Woodward Ave. from Willits St. to Brown St. and on Maple Rd. in the vicinity of the intersection of Old Woodward. In 2019-2020, similar improvements are planned along Maple Rd. from approximately Southfield Rd. to Woodward Ave., with an estimated cost of \$895,000. In 2021-2022, sidewalk and streetscape improvements are planned on S. Old Woodward Ave. - Brown St. to Landon St. at an estimated cost of \$1,212,000. Other sidewalks will be replaced as needed as part of the annual sidewalk replacement program. Other potential improvements include the following:

- Alley, sidewalk and passage improvements (the Pierce St. alley being the first priority, pending the creation of a special assessment district)
- Additional bicycle-parking facilities in the downtown area - Phase 3 (Phases 1 and 2 have been implemented)
- Sidewalk and streetscape enhancements along S. Eton Rd. from E. Maple Rd. to 14 Mile Rd.
- The addition of bicycle facilities on S. Eton Rd. from E. Maple Rd. to 14 Mile Rd.
- Construction of a portion of Phase 3 of the Sidewalk Plan in the Rail District
- The addition of bike lanes, transit stop improvements, and pedestrian improvements in conjunction with the Complete Streets approach as road improvements are due. Future improvements include sidewalks, concrete pads, shelters, benches, bike racks, and trash receptacles
- Moped parking will be added in spring 2019



## **General Fund Assumptions**

### **Revenue**

#### Property Taxes

Appendix B illustrates the process used to estimate property tax revenue. Economic indicators show continued growth in the housing market, which will affect SEV and TV growth. The 2018-2019 taxable value for the City increased by 6.26 percent. The forecast assumes an annual increase in taxable value starting at 5.00 percent for 2019-2020 with gradually smaller increases to 3.43 percent in 2022-2023.

Key assumptions on a line-by-line basis, beginning at the top of Appendix B, are provided in Appendix C.

The property taxes from the general operating levy exclude levies for the George W. Kuhn Drain, North Arm Drain debt service, and water capital improvements.

#### Building Permits

Reinvestment in the City continues as new house permits; renovations and additions have continued on a similar pace compared to the prior fiscal year. Revenue received from building permits in 2018-2019 is anticipated to be slightly higher than revenue received in the prior fiscal year. The increase in permit revenue in 2018-2019 reflect current activity levels and planned projects. The year 2019-2020 reflects a decrease in permit revenue as reinvestment starts to slow to historical levels as interest rates are expected to rise. The 2020-2021 level remains steady for the remaining forecasted years

#### Cable Franchise Fees

Revenue is projected to increase slightly for each of the forecasted years through 2022-2023.

#### State-shared Revenue

The State eliminated the Economic Vitality Incentive Program (EVIP) and replaced it with “City, Village, and Township Revenue Sharing” (CVTRS) in which a city is required to meet certain criteria to be eligible to receive a percentage of the revenue sharing appropriations. The estimated statutory revenue-sharing payment for fiscal year 2018-2019 per the State’s formula is expected to be less than \$190,000. The supplemental CVTRS is estimated to be approximately \$16,000. Constitutional revenue sharing payments depend on the level of state sales tax collections and, in 2018-2019, are estimated slightly higher than last year’s level according to the State’s website. Actual revenue-sharing distributions depend on the stability of the State’s budget, as well as the State’s economy. The City has forecasted a constant level of revenue sharing for the statutory portion and an inflationary increase of 1.50 percent for the constitutional portion for the years beginning 2019-2020.

See accompanying summaries of significant assumptions and accounting policies and independent accountant’s report.

#### Other Intergovernmental Revenue

Fiscal year 2014-2015 includes a \$375,100 payment from the Birmingham Area Cable Board. This represents a return of surplus funds. Additionally, in 2015-2016, 2016-2017, and 2017-2018, a surplus of cable funds in the amount of \$122,613, \$143,402, and \$338,575, respectively, was received. No revenue from the return of surplus funds is projected in future years, as these distributions are at the discretion of the Cable Board.

#### Charges to Other Funds

The increases in fiscal year 2018-2019 and future years are the result of labor charges for the assistant city manager and an additional city engineer.

#### Dispatch Services Revenue

The increase in dispatch revenue is the result of the City's contract with the City of Beverly Hills, Michigan, which provides for a 35 percent reimbursement of the City's dispatch costs, which have increased.

#### EMS Transport Revenue

The increase in EMS transport revenue is the result of an increase in medical runs.

#### 48th District Court

Based on information received from the 48th District Court, the City's caseload percentage increased in 2017 to 28.72 percent. The City's caseload for 2018-2019 is projected at 28.54 percent. For the remaining forecasted years, a level increase of 1.50 percent in court revenue is projected to be received.

#### Parking Fines

Parking fine revenue remained approximately the same in fiscal year 2017-2018 from the prior fiscal year. Revenue is expected to remain steady from 2018-2019 projected levels.

#### Other Revenue

Revenue in this category is projected to remain steady, as it represents normal activity consisting of miscellaneous charges. Additional revenue is expected for fiscal years 2018-2019 through 2022-2023, which includes sidewalk special assessments.

#### Interest and Rent

The projected interest rate earned on investments for 2018-2019 through 2022-2023 is 1.75 percent, 2.00 percent, 2.25 percent, 2.50 percent, and 2.75 percent, respectively.

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

## **Expenditures**

### Personnel Service Cost Assumptions

Full-time staffing, which consists of 157 full-time employees, is assumed to remain at or near the same level for the period covered by the financial estimation.

The current status of labor contracts is as follows:

<u>Union or Group</u>	<u>Contract Runs Through</u>
AFSCME	June 30, 2020
Teamsters	June 30, 2021
Police Command (BCOA)	June 30, 2019
Firefighters (BFFA)	June 30, 2020
Police (BPOA)	June 30, 2019

For estimating purposes, the model assumes a rate increase for union and nonunion employees. The actual rate may vary depending on numerous factors, including, but not limited to, results of union negotiations, changes in state or federal law, and limits on increases in property taxes.

Health insurance costs have been adjusted to reflect no increases for fiscal year 2018-2019 and 2019-2020, and a 1 percent increase for the remaining forecasted years. These percentage increases reflect targeted reserves in our internal service fund and do not necessarily reflect the healthcare industry proposed increases.

Expenditures have been adjusted for the employer's portion of retirement contributions and retiree healthcare contributions, as recommended by the City's actuarial valuation and actuarial forecast prepared for the period ended June 30, 2018.

### Sidewalk and Alley Construction

Construction costs include sidewalk reconstruction on Hamilton in 2015-2016 and other sidewalk area reconstruction costs in 2016-2017. Other construction projects include the Old Woodward Avenue sidewalks from Willits to Brown Streets in 2017-2018 and 2018-2019 for \$2.5 million, Maple Road sidewalk reconstruction in 2019-2020 for \$895,000, and South Old Woodward Avenue sidewalks from Brown to Landon in 2021-2022 for \$1.2 million. Sidewalk routine replacement costs are estimated at \$300,000 per year. Alley construction costs include Hamilton Alley between Hamilton Avenue to Park Streets in 2015-2016 for \$225,000 and in 2017-2018 for \$10,800. Pierce Street Alley construction is estimated at \$288,000 in 2018-2019. Both the sidewalk and alley construction will be assessed to the owners.

### 48th District Court

Expenditures are allocated to each of the four governmental units responsible for maintaining the court in the same proportion as the number of cases arising from each unit. Fiscal year 2018-2019 includes an estimated \$350,000 for renovations at the court.

### Operating Transfers Out

In 2014-2015, a transfer was made to the Water Fund in the amount of \$400,000. In 2015-2016, a transfer to the Risk Management was made in the amount of \$1,000,000 to partially cover the Wolf v. Birmingham lawsuit settlement. Additionally, in 2016-2017, a transfer of \$480,000 to the Risk Management Fund was made, and \$775,000 to the Sewer Fund is planned for 2018-2019 as reimbursement of costs paid to settle the Wolf v. Birmingham lawsuit. Additionally, a \$443,000 transfer is planned for 2018-2019 to the Retiree Health Care Fund. Transfers out to the Major Streets Fund, Local Streets Fund, and Capital Projects Fund throughout the forecasted period are routine and represent funding for capital improvements.

### Other Expenditures

Most other expenditures assume approximately a 2 percent inflationary increase for the years 2019-2020 through 2022-2023.

City of Birmingham, Michigan  
General Fund Historic and Estimated Financial Operations

	Actual				Estimated Future Operations				
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
<b>Revenue</b>									
<b>Taxes</b>									
Real and personal property taxes	\$ 19,742,553	\$ 20,315,235	\$ 21,021,455	\$ 23,495,707	\$ 24,892,490	\$ 26,065,630	\$ 27,089,060	\$ 28,199,610	\$ 29,271,280
Tax losses	(90,384)	(82,340)	(13,724)	(23,773)	(100,000)	(100,000)	(100,000)	(100,000)	(100,000)
Penalties and interest	144,961	120,233	121,537	119,563	149,000	149,000	149,000	149,000	149,000
Total taxes	19,797,130	20,353,128	21,129,268	23,591,497	24,941,490	26,114,630	27,138,060	28,248,610	29,320,280
<b>Licenses and Permits</b>									
Business licenses and permits	61,779	64,926	61,160	60,272	61,790	62,717	63,658	64,612	65,582
Rental housing fees	140,590	140,873	145,180	157,752	143,250	145,399	147,580	149,793	152,040
Building permits	2,107,031	2,651,421	2,560,488	2,111,579	2,397,050	2,157,345	1,941,608	1,941,608	1,941,608
Appeal and review fees	121,280	97,939	114,474	119,027	82,950	84,194	85,457	86,739	88,040
Telecommunications permit	49,194	66,375	65,788	65,277	51,510	52,283	53,067	53,863	54,671
Cable television franchise fees	341,015	352,810	359,605	351,256	360,000	365,400	370,881	376,444	382,091
Other	67,750	85,596	73,701	68,430	76,600	77,749	78,915	80,099	81,300
Total licenses and permits	2,888,639	3,459,940	3,380,396	2,933,593	3,173,150	2,945,087	2,741,166	2,753,158	2,765,332
<b>Intergovernmental</b>									
Federal emergency management assistance	13,137	13,180	20,161	20,310	20,160	20,462	20,769	21,081	21,397
State:									
Shared revenue	1,721,436	1,719,964	1,808,160	1,867,231	1,910,390	1,903,638	1,929,103	1,954,949	1,981,184
Other	534,208	445,572	342,839	626,456	228,980	231,618	234,296	237,014	239,773
Total intergovernmental	2,268,781	2,178,716	2,171,160	2,513,997	2,159,530	2,155,719	2,184,168	2,213,044	2,242,354
<b>Charges for Services</b>									
Labor charges to other funds	1,295,960	1,178,584	1,137,579	1,171,122	1,564,070	1,585,958	1,608,174	1,630,723	1,653,610
Ice arena fees	612,309	619,354	603,275	620,024	650,800	660,562	670,470	680,527	690,735
Other recreation program fees	99,371	101,437	99,043	104,163	105,860	107,448	109,060	110,696	112,356
Museum fees	40,616	44,874	44,204	39,561	41,250	41,869	42,497	43,134	43,781
Special events fees	94,953	72,663	75,468	82,336	96,840	98,293	99,767	101,263	102,782
Sidewalk construction	20,518	14,978	53,843	48,912	35,000	35,525	36,058	36,599	37,148
Dispatch	302,905	344,076	311,928	314,798	369,680	375,225	380,854	386,566	392,365
EMS transports	301,797	328,193	354,650	351,263	409,000	415,135	421,362	427,682	434,098
Other	118,566	85,884	78,357	67,629	83,910	85,169	86,446	87,743	89,059
Total charges for services	2,886,995	2,790,043	2,758,347	2,799,808	3,356,410	3,405,184	3,454,688	3,504,933	3,555,934
<b>Fines and Forfeitures</b>									
48th District Court	1,204,800	1,033,994	1,028,810	1,243,878	1,200,000	1,218,000	1,236,270	1,254,814	1,273,636
Parking and dog fines	479,705	423,494	560,238	551,683	558,840	560,338	560,680	561,028	561,381
Impound fees	6,775	5,825	7,025	8,050	7,500	7,613	7,727	7,843	7,960
False alarm charges	12,238	12,130	7,150	5,855	11,500	11,673	11,848	12,025	12,206
Total fines and forfeitures	1,703,518	1,475,443	1,603,223	1,809,466	1,777,840	1,797,624	1,816,525	1,835,710	1,855,183

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

## General Fund Historic and Estimated Financial Operations

Revenue (Continued)	Actual					Estimated Future Operations				
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	
<b>Interest and Rent</b>										
Interest earned on investments	\$ 139,966	162,430	\$ 29,169	\$ 125,037	\$ 283,080	\$ 294,500	\$ 348,650	\$ 417,020	\$ 525,390	
Rent	56,311	55,008	73,716	57,591	75,000	76,125	77,267	78,426	79,602	
Other interest earnings	3,924	1,787	5,595	5,454	2,500	2,538	2,576	2,614	2,653	
Total interest and rent	200,201	219,225	108,480	188,082	360,580	373,163	428,493	498,060	607,645	
<b>Other Revenue</b>										
	86,310	112,230	125,400	90,783	598,635	355,710	494,644	347,060	621,366	
<b>Contributions from Other Funds</b>										
	-	-	-	100,000	100,000	100,000	100,000	100,000	100,000	
Total revenue	29,831,574	30,588,725	31,276,274	34,027,226	36,467,635	37,247,117	38,357,744	39,500,575	41,068,093	
<b>Expenditures</b>										
<b>General Government</b>										
Commission	53,044	55,550	58,784	52,365	63,890	66,108	68,439	70,890	73,467	
Manager's office	315,107	318,161	307,879	446,367	566,760	598,249	616,507	625,033	634,107	
Elections	40,483	27,397	33,911	39,979	31,890	23,168	37,451	23,740	33,035	
Assessor	200,365	200,871	207,435	208,030	207,240	211,385	215,612	219,924	224,312	
Legal	434,040	418,974	373,288	458,445	463,500	472,770	482,225	491,870	501,707	
Clerk	338,966	341,259	316,902	311,445	365,380	383,182	394,409	401,868	409,687	
Finance department	863,698	689,278	717,427	809,820	868,450	929,483	958,766	972,170	986,707	
Human resources department	301,086	342,819	354,567	306,007	441,390	463,449	477,923	487,388	497,211	
Treasurer	801,159	646,690	629,480	646,203	727,120	750,725	724,962	732,918	741,864	
City hall and grounds	538,384	566,312	520,750	480,613	602,192	593,356	549,001	558,779	568,900	
Library maintenance	91,569	120,094	38,000	30,484	35,400	35,904	36,622	37,355	38,102	
Historical museums:										
Hunter House	10,337	13,898	9,968	10,959	17,301	17,034	17,375	17,722	18,077	
Allen House	133,341	126,171	202,113	174,665	235,995	207,872	214,424	219,474	224,714	
General administration	1,039,123	1,050,173	1,107,453	1,107,291	1,151,209	1,170,113	1,193,516	1,217,386	1,241,734	
Total general government	5,160,702	4,917,647	4,877,957	5,082,673	5,777,717	5,922,798	5,987,232	6,076,517	6,193,624	
<b>Public Safety</b>										
Police	6,349,443	6,048,860	6,125,234	5,991,538	6,644,247	7,123,065	7,322,248	7,394,446	7,473,386	
Fire	5,279,689	5,031,199	5,277,470	5,482,557	6,061,449	6,218,625	6,443,760	6,498,861	6,559,969	
Dispatch	983,075	891,222	915,251	1,024,994	1,074,543	1,123,678	1,146,105	1,163,031	1,180,809	
Emergency preparedness	4,787	5,931	5,065	9,202	9,266	9,435	9,624	9,816	10,012	
Total public safety	12,616,994	11,977,212	12,323,020	12,508,291	13,789,505	14,474,803	14,921,737	15,066,154	15,224,176	

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

**City of Birmingham, Michigan**  
**General Fund Historic and Estimated Financial Operations**

	Actual				Estimated Future Operations					
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	
<b><u>Expenditures</u> (Continued)</b>										
<b>Community Development</b>										
Planning	\$ 457,620	453,053	\$ 593,540	\$ 542,144	\$ 762,435	\$ 646,956	\$ 662,377	\$ 673,757	\$ 685,673	
Building inspection	1,627,359	1,754,318	2,043,357	2,076,541	2,767,359	2,253,160	2,037,088	1,965,572	1,995,563	
Total community development	2,084,979	2,207,371	2,636,897	2,618,685	3,529,794	2,900,116	2,699,465	2,639,329	2,681,236	
<b>Engineering and Public Services</b>										
Engineering	673,157	711,702	782,760	813,693	1,000,270	1,039,544	945,515	961,124	977,498	
Sidewalk construction and replacement	203,599	297,732	538,003	1,113,173	2,486,053	1,268,226	374,690	1,594,184	389,828	
Alley construction and maintenance	38,418	231,874	30,459	17,075	290,356	30,000	30,600	31,212	31,836	
Property maintenance	847,601	845,260	787,288	787,774	940,316	954,433	974,092	986,100	998,863	
General	256,627	251,828	266,163	268,804	325,446	334,678	347,163	360,302	374,138	
Weed/Snow enforcement	38,758	28,621	32,214	32,330	46,750	43,100	43,935	44,545	45,187	
Ice sports arena	652,452	592,836	634,115	631,037	680,073	696,298	708,280	720,489	733,075	
Community activities	254,571	273,438	251,929	244,007	306,984	295,202	301,395	305,216	309,268	
Parks	895,747	863,326	932,213	1,064,557	1,104,485	1,109,412	1,130,704	1,149,262	1,168,470	
Total engineering and public services	3,860,930	4,096,617	4,255,144	4,972,450	7,180,733	5,770,893	4,856,374	6,152,434	5,028,163	
<b>Contributions</b>										
48th District Court	1,228,831	1,019,722	1,116,515	1,261,046	1,611,150	1,286,373	1,312,100	1,338,342	1,365,109	
Operating transfers to other funds:										
Major Streets Fund	1,200,000	1,580,000	1,550,000	2,100,000	2,500,000	3,500,000	2,500,000	3,500,000	3,000,000	
Local Streets Fund	2,000,000	2,250,000	2,650,000	2,200,000	2,500,000	2,500,000	4,000,000	3,000,000	3,000,000	
Capital Projects Fund	643,920	371,900	344,890	736,570	1,031,000	700,000	700,000	700,000	700,000	
Sewer Fund	-	-	-	-	775,000	-	-	-	-	
Water Fund	400,000	-	-	500,000	-	-	-	-	-	
Risk Management	-	1,000,000	480,000	-	-	-	-	-	-	
Retirement System	-	-	-	-	-	-	-	-	-	
Other	25,000	13,900	50,000	45,000	443,000	-	-	-	-	
Total contributions	5,497,751	6,235,522	6,191,405	6,842,616	8,860,150	7,986,373	8,512,100	8,538,342	8,065,109	
Total expenditures	29,221,356	29,434,369	30,284,423	32,024,715	39,137,899	37,054,983	36,976,908	38,472,777	37,192,308	
<b>Excess of Revenue Over (Under)</b>										
<b>Expenditures</b>										
Fund Balance - Beginning of year	610,218	1,154,356	991,851	2,002,511	(2,670,264)	192,134	1,380,836	1,027,799	3,875,786	
Fund Balance - End of year	12,547,707	13,157,925	14,312,281	15,304,132	17,306,643	14,636,379	14,828,513	16,209,349	17,237,148	
	\$ 13,157,925	\$ 14,312,281	\$ 15,304,132	\$ 17,306,643	\$ 14,636,379	\$ 14,828,513	\$ 16,209,349	\$ 17,237,148	\$ 21,112,934	

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

## **Major and Local Streets Funds Assumptions**

### **Major Street Fund**

This forecast analyzes the actual results from 2014-2015 through 2017-2018 and the City's adopted budget for 2018-2019 with inflationary increases for the years 2019-2020 through 2022-2023. Exceptions to this method are noted below:

#### **Revenue**

##### State Grants and Distributions

On November 10, 2015, the governor signed a new road funding bill. The funding for this road bill comes from an increase in registration fees, an increase in gas taxes, and funding from the State's General Fund. The road funding bill calls for an incremental increase in contributions from the State's General Fund and will be fully funded by the State's fiscal year ending September 30, 2021. The estimates for the road funding have been provided by the Michigan Department of Transportation (MDOT).

In fiscal year 2018-2019, the State approved approximately \$230,000 in additional road funding beyond the Act 51 funding for road maintenance.

##### Special Assessments

The revenue amounts are based on estimated collections for prior and future assessments.

##### Interfund Transfers

Interfund transfers are forecasted in an amount to provide consistent funding to the street funds by the General Fund. The forecast demonstrates that levels of funding will increase for the fund balance in 2018-2019 and remain at adequate levels through 2022-2023.

##### Interest Income

The forecast assumes investment returns of 1.75 percent for 2018-2019 with slow improvement to 2.75 percent for 2022-2023.

#### **Expenditures**

##### Maintenance of Streets and Bridges

Fiscal year 2018-2019 includes a cape seal project.

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.



### Street Cleaning

The forecast projects that catch basin cleaning will continue to be scheduled once every two years.

### Traffic Controls

Fiscal year 2018-2019 includes traffic control upgrades for the Old Woodward Ave. project and 2019-2020 includes traffic control upgrades for the Maple Rd. project.

### Capital Outlay

Below is a list of planned projects with an estimated cost equal to or greater than \$200,000.

2018-2019	I 4 Mile Rd. - Greenfield Rd. to east city limit	\$250,000
	Bowers St. - Woodward Ave. to S. Adams Rd.	\$345,000
	Peabody St. - E. Maple Rd. to E. Brown St	\$170,000
	Park St. - Oakland Blvd. to Hamilton Ave.	\$215,000
2019-2020	Maple Rd. - Southfield Rd. to Woodward Ave.	\$2,900,000
	Traffic signal replacement on Maple Rd.	\$550,000
	Coolidge Hwy. - Derby Rd. to E. Maple Rd.	\$425,000
	Grant St. - E. Lincoln Ave. to Humphrey Ave.	\$200,000
	Cranbrook - Maple Rd. to I 4 Mile Rd.	\$290,000
2020-2021	Pierce St. - Lincoln Ave. to Bird Ave.	\$350,000
	Redding Rd. - Lakepark Ave. to Woodward Ave	\$420,000
	Oakland Blvd. - N. Old Woodward to Woodward	\$250,000
2021-2022	S. Old Woodward Ave. - Brown St. to Landon St.	\$3,988,000
2022-2023	E. Maple Rd. - N. Eton to Coolidge	\$200,000
	S. Eton Rd. - Yosemite to I 4 Mile Rd.	\$1,700,000

Two federal grants have been secured in the total amount of \$600,000 for the same project: the first grant is for Maple Rd. project between Southfield Rd. and Woodward Ave in the amount of \$350,000, and the second grant, in the amount of \$250,000, is for safety improvements at the intersection of Maple Rd. and Southfield Rd.

## **Local Streets Fund**

This forecast analyzes the actual results from 2014-2015 through 2017-2018 and the City's adopted budget for 2018-2019 with inflationary increases for the years 2019-2020 through 2022-2023. Exceptions to this method are noted below:

### **Revenue**

#### State Grants and Distributions

On November 10, 2015, the governor signed a new road funding bill. The funding for this road bill comes from an increase in registration fees, an increase in gas taxes, and funding from the State's General Fund. The road funding bill calls for an incremental increase in contributions from the State's General Fund and will be fully funded by the State's fiscal year ending September 30, 2021. The estimates for the road funding have been provided by the Michigan Department of Transportation (MDOT).

#### Special Assessments

Special assessment revenue for fiscal years 2018-2019, 2020-2021, and 2022-2023 include one-year assessments for cape seal maintenance.

#### Interfund Transfers

Interfund transfers are forecasted in an amount to provide consistent funding to the street funds by the General Fund. The forecast demonstrates that, at these levels of funding, fund balance is expected to increase gradually throughout the forecast.

#### Interest Income

The forecast assumes investment returns of 1.75 percent for 2018-2019 with slow improvement to 2.75 percent for 2022-2023.

### **Expenditures**

#### Maintenance of Streets and Bridges

Cape seal maintenance is expected in fiscal years 2018-2019, 2019-2020, and 2021-2022.

#### Street Cleaning

The forecast projects that catch basin cleaning will continue to be scheduled once every two years.

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

**City of Birmingham, Michigan**  
**Five-year Financial Forecast**

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Capital Outlay

Below is a list of planned projects with an estimated cost equal to or greater than \$200,000.

2018-2019	Chapin Ave. and Ruffner Ave. - Grant St. to Woodward Ave. and Bennaville Ave. - Edgewood Ave. to Grant St.	\$1,139,400
	Raynale St. - N. Glenhurst Dr. to Chesterfield Ave. N. Glenhurst Dr. - Raynale St. to Oak St. Brookwood - N. Glenhurst Dr. To Raynale St. Kenwood Ct. - N. Glenhurst Dr. to 230 ft east	\$1,205,000
2019-2020	Fairway Dr. - Pleasant Ave. to 600 ft. east Hanna St. - Southfield Rd. to Bates St. Latham Rd. - Saxon Dr. to Northlawn Blvd. Southlawn Blvd. - Stanley Dr. to Bates St. Stanley Dr. - Hanna St. to Wallace St. Stanley Dr. - W. Lincoln Ave. to W. 14 Mile Rd. Watkins Ave. - W. Brown St. to W. Frank St. Watkins Ave. - Hanna St. to Wallace St.	\$475,000
2020-2021	Bowers St. - Haynes Ave. to Columbia Ave.	\$250,000
	Bird Ave. - Pierce St. to 120 Ft W. of Woodward Ave.	\$600,000
	Pembroke Rd. - West end to N. Eton St.	\$300,000
	Townsend St. - Southfield Rd. to Chester St.	\$330,000
	E. Lincoln Ave. to Southlawn Blvd.	\$540,000
2021-2022	Haynes St. - Bowers St. to Columbia Ave.	\$300,000
	Windemere Rd. - N. Eton Rd. to St. Andrews Rd	\$550,000
2022-2023	Maryland Blvd - W. Lincoln Ave. to Southlawn Blvd	\$390,000
	Bates St. - Lincoln Ave. to 14 Mile Rd.	\$600,000
	Windemere Rd. - N. Eton Rd. to St. Andrews Rd	\$275,000

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

**City of Birmingham, Michigan**  
**Major Streets Fund Historic and Estimated Financial Operations**

	Actual					Estimated Future Operations				
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	
<b>Revenue</b>										
State grants and distributions	\$ 1,390,083	\$ 947,165	\$ 1,088,480	\$ 1,438,342	\$ 1,723,399	\$ 1,457,121	\$ 1,597,101	\$ 1,659,058	\$ 1,692,238	
Special assessment collections	12,446	485	11,823	66,226	850	590	590	590	590	
Federal grants	-	-	-	-	-	600,000	-	-	-	
Local sources	-	124,794	-	215,000	-	-	-	-	-	
Interest and rent	24,304	12,242	3,880	14,193	12,980	15,034	12,350	31,100	47,250	
Other	1,350	7,130	-	200	1,000	1,000	1,000	1,000	1,000	
Transfers from General Fund	1,200,000	1,580,000	1,550,000	2,100,000	2,500,000	3,500,000	2,500,000	3,500,000	3,000,000	
Total revenue	2,628,183	2,671,816	2,654,183	3,833,961	4,238,229	5,573,745	4,111,041	5,191,748	4,741,078	
<b>Expenditures</b>										
Maintenance of streets and bridges	322,310	302,173	270,632	343,390	489,285	362,700	370,077	310,890	315,463	
Street cleaning	122,855	162,528	146,308	197,598	160,169	213,125	167,378	224,019	172,377	
Street trees	253,083	251,257	229,860	227,917	256,821	261,981	267,173	272,064	277,087	
Traffic controls	202,226	323,555	236,791	448,675	743,123	861,189	317,413	323,761	330,238	
Snow and ice removal	292,463	208,915	241,982	292,039	325,260	337,410	344,386	349,807	355,445	
Administrative	21,803	17,867	18,639	18,218	18,980	19,359	19,746	20,141	20,544	
Capital outlay - Engineering and construction of roads and bridges	3,047,929	1,772,358	1,040,576	2,845,005	2,355,228	4,249,207	1,327,491	4,803,841	2,224,258	
Total expenditures	4,262,669	3,038,653	2,184,788	4,372,842	4,348,866	6,304,971	2,813,664	6,304,523	3,695,412	
<b>Excess of Revenue (Under) Over Expenditures</b>	(1,634,486)	(366,837)	469,395	(538,881)	(110,637)	(731,226)	1,297,377	(1,112,775)	1,045,666	
<b>Fund Balance - Beginning of year</b>	3,803,720	2,169,234	1,802,397	2,271,792	1,732,911	1,622,274	891,048	2,188,425	1,075,650	
<b>Fund Balance - End of year</b>	<b>\$ 2,169,234</b>	<b>\$ 1,802,397</b>	<b>\$ 2,271,792</b>	<b>\$ 1,732,911</b>	<b>\$ 1,622,274</b>	<b>\$ 891,048</b>	<b>\$ 2,188,425</b>	<b>\$ 1,075,650</b>	<b>\$ 2,121,316</b>	

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

# City of Birmingham, Michigan

## Local Streets Fund Historic and Estimated Financial Operations

	Actual				Estimated Future Operations					
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	
<b>Revenue</b>										
State grants and distributions	\$ 420,043	\$ 583,937	\$ 442,394	\$ 530,118	\$ 557,392	\$ 592,344	\$ 649,249	\$ 674,436	\$ 687,924	
Special assessment collections	205,365	57,034	388,717	377,059	461,673	43,033	340,533	43,033	468,033	
Local sources	-	-	-	30,598	-	-	-	-	-	
Interest and rent	26,437	19,618	6,375	24,255	28,406	30,147	29,318	16,289	13,060	
Other	15,517	8,737	13,224	4,878	10,000	10,000	10,000	10,000	10,000	
Transfers from General Fund	2,000,000	2,250,000	2,650,000	2,200,000	2,500,000	2,500,000	4,000,000	3,000,000	3,000,000	
Total revenue	2,667,362	2,919,326	3,500,710	3,166,908	3,557,471	3,175,524	5,029,100	3,743,758	4,179,017	
<b>Expenditures</b>										
Maintenance of streets and bridges	576,777	387,998	520,670	815,167	1,080,349	867,614	535,481	1,043,026	560,766	
Street cleaning	172,487	207,996	145,299	224,461	182,192	253,229	192,102	267,549	199,059	
Street trees	504,318	503,186	515,499	499,951	518,559	528,877	539,400	549,808	560,431	
Traffic controls	59,932	62,988	66,052	62,265	70,020	71,420	72,848	74,304	75,791	
Snow and ice removal	122,511	126,620	136,990	149,507	163,280	169,160	172,772	175,515	178,325	
Administrative	31,103	25,177	26,319	25,618	26,730	27,264	27,810	28,366	28,934	
Capital outlay - Engineering and construction of roads and bridges	2,140,833	2,050,733	2,325,620	873,577	3,081,121	795,655	2,657,068	1,788,510	1,719,980	
Total expenditures	3,607,961	3,364,698	3,736,449	2,650,546	5,122,251	2,713,219	4,197,481	3,927,078	3,323,286	
<b>Excess of Revenue (Under) Over Expenditures</b>	(940,599)	(445,372)	(235,739)	516,362	(1,564,780)	462,305	831,619	(183,320)	855,731	
<b>Fund Balance - Beginning of year</b>	3,029,382	2,088,783	1,643,411	1,407,672	1,924,034	359,254	821,559	1,653,178	1,469,858	
<b>Fund Balance - End of year</b>	<u>\$ 2,088,783</u>	<u>\$ 1,643,411</u>	<u>\$ 1,407,672</u>	<u>\$ 1,924,034</u>	<u>\$ 359,254</u>	<u>\$ 821,559</u>	<u>\$ 1,653,178</u>	<u>\$ 1,469,858</u>	<u>\$ 2,325,589</u>	

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

## **Water and Sewer Fund Assumptions**

This forecast analyzes the actual results from 2014-2015 through 2017-2018 and the City's adopted budget for 2018-2019 with inflationary increases for the years 2019-2020 through 2022-2023. Water volumes are based on a five-year running average. Exceptions to this method are noted below:

### **Water Fund**

#### Water Purchase Cost

The forecast assumes an approximately 4 percent increase in the cost of water for 2019-2020 through 2022-2023. Water volumes are projected to remain relatively constant.

#### Capital Outlay

The forecast is based on estimates prepared by the city engineer for years 2019-2020 through 2022-2023. These improvements will be made in conjunction with road improvements and will be partially funded by \$750,000 in property taxes in 2018-2019 and \$1,000,000 from 2019-2020 through 2022-2023. These additional resources will partially fund capital projects over the next four years and maintain the reserves of the system, which has spent \$11.5 million in capital projects over the past seven years.

#### Interest Income

The forecast assumes investment returns of 1.75 percent for 2018-2019 with slow improvement to 2.75 percent for 2022-2023.

#### Property Taxes

Property tax revenue is distributed to the Water Fund for capital improvements associated with road projects.

#### Transfers from Other Funds

Amounts represent transfers for costs associated with the OPEB liability as the result of GASB 75.

### **Sewer Fund**

#### Sewage Disposal Cost

The forecast assumes a 4 percent increase in the sanitary sewage disposal costs for the Evergreen-Farmington and George W. Kuhn Sewage Disposal Districts.

#### Stormwater Disposal Costs

The forecast assumes a 3-4 percent increase in stormwater disposal costs for the Evergreen-Farmington and George W. Kuhn Sewage Disposal Districts.

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

## **City of Birmingham, Michigan**

### **Five-year Financial Forecast**

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#### Capital Outlay

The forecast uses estimates prepared by the city engineer for years 2019-2020 through 2022-2023. These improvements will be made in conjunction with road improvements and will be funded by the reserves of the system.

#### Interest Income

The forecast assumes investment returns of 1.75 percent for 2018-2019 with slow improvement to 2.75 percent for 2022-2023.

#### Debt Service Payments

Debt service payments are based on current debt schedules for 2019-2020 through 2022-2023.

#### Transfers from Other Funds

Amounts represent reimbursements from the General Fund (2018-2019) for costs associated with the Wolf vs. City of Birmingham lawsuit.

#### Property Taxes

Property tax revenue is distributed to the Sewer Fund for sewer-related debt payments.

City of Birmingham, Michigan  
Water Fund Historic and Estimated Financial Operations

	Actual				Estimated Future Operations				
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
<b>Key Operating Data</b>									
Water sold	\$ 724,718	\$ 812,470	\$ 856,232	\$ 854,625	\$ 825,600	\$ 828,300	\$ 828,300	\$ 828,300	\$ 828,300
Water purchased	820,700	905,577	926,688	922,317	892,500	895,500	895,500	895,500	895,500
Average unit cost of water purchased	1.93	2.16	2.23	2.26	2.35	2.44	2.53	2.63	2.73
<b>Cost of Services</b>									
Cost of water	1,586,540	1,952,114	2,064,386	2,085,955	2,098,910	2,185,870	2,268,913	2,355,641	2,445,956
Depreciation	768,351	864,213	782,677	811,724	848,400	919,475	979,350	1,021,725	1,048,350
Operation and maintenance	1,429,517	1,280,770	1,386,935	1,396,228	1,633,120	1,676,397	1,702,130	1,735,216	1,759,931
General and administrative	214,353	186,352	190,325	198,279	204,800	208,896	213,075	217,337	221,684
Capital outlay	1,852,457	706,428	395,014	1,146,412	845,000	1,990,000	2,395,000	1,695,000	1,065,000
Total cost of services	5,851,218	4,989,877	4,819,337	5,638,598	5,630,230	6,980,638	7,558,468	7,024,919	6,540,921
<b>Other Income</b>									
Interest	150	4,909	1,664	15,103	24,040	54,248	59,035	66,580	89,640
Property taxes	(9)	500,092	749,579	747,633	750,000	1,000,000	1,000,000	1,000,000	1,000,000
Flat rate meter charge and other	793,162	855,144	748,051	828,596	739,500	786,300	783,100	784,954	786,864
Transfer from other funds	750,000	-	-	500,000	-	-	-	-	-
Total other income	1,543,303	1,360,145	1,499,294	2,091,332	1,513,540	1,840,548	1,842,135	1,851,534	1,876,504
<b>Less Capital Outlay not Included in Net Cost of Services</b>									
					(95,000)	(990,000)	(1,395,000)	(695,000)	(65,000)
<b>Net Cost of Services</b>	<b>\$ 4,307,915</b>	<b>\$ 3,629,732</b>	<b>\$ 3,320,043</b>	<b>\$ 3,547,266</b>	<b>\$ 4,021,690</b>	<b>\$ 4,150,090</b>	<b>\$ 4,321,333</b>	<b>\$ 4,478,385</b>	<b>\$ 4,599,417</b>
<b>Average User Charge</b>					\$ 4.87	\$ 5.01	\$ 5.22	\$ 5.41	\$ 5.55
<b>Average Rate Increase</b>						2.87%	4.19%	3.64%	2.59%

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.



# City of Birmingham, Michigan

## Sewer Fund Historic and Estimated Financial Operations

	Actual				Estimated Future Operations				
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
<b>Key Operating Data</b>									
Water sold	\$ 724,840	\$ 812,470	\$ 856,232	\$ 854,625	\$ 825,600	\$ 828,300	\$ 828,300	\$ 828,300	\$ 828,300
Water purchased	820,700	905,577	926,688	922,317	892,500	895,500	895,500	895,500	895,500
Average unit cost of sewage disposal	3.80	3.52	3.55	3.97	4.16	4.28	4.45	4.62	4.79
<b>Cost of Services</b>									
Sanitary sewage disposal costs	3,120,025	3,190,852	3,292,146	3,661,070	3,714,460	3,835,887	3,982,652	4,135,047	4,293,286
Storm water costs	2,169,924	2,383,232	2,413,872	2,432,785	2,526,330	2,601,496	2,650,061	2,722,626	2,797,367
Depreciation and amortization <sup>(1)</sup>	784,047	842,433	881,897	931,702	1,057,600	1,114,475	1,123,225	1,143,225	1,169,975
Debt service - Including principal	3,382,646	3,221,345	2,815,923	1,575,184	1,632,290	1,691,785	1,702,907	406,393	327,060
Operation and maintenance	644,374	645,500	586,150	642,294	911,860	682,947	690,321	700,046	708,226
General and administrative	250,750	1,055,860	214,495	222,344	232,110	236,753	241,488	246,318	251,244
Capital outlay	2,459,819	1,498,017	1,042,866	2,857,652	1,452,000	3,025,000	350,000	800,000	1,070,000
Total cost of services	12,811,585	12,837,239	11,247,349	12,323,031	11,526,650	13,188,343	10,740,654	10,153,655	10,617,158
<b>Other Income</b>									
Interest	56,196	34,739	10,063	30,928	85,230	58,476	68,741	107,834	143,962
Property taxes	3,356,369	3,209,493	2,828,930	1,830,052	1,632,290	1,691,785	1,702,907	406,393	327,060
Storm water charge <sup>(2)</sup>			1,675,229	2,444,810	2,526,330	2,601,496	2,650,061	2,722,626	2,797,367
State grant				243,669	220,830	-	-	-	-
Other	70,105	80,706	78,243	74,106	70,000	70,000	70,000	70,000	70,000
Transfers from other funds	-	-	73,203	-	775,000	-	-	-	-
Total other income	3,482,670	3,324,938	4,665,668	4,623,565	5,309,680	4,421,757	4,491,709	3,306,853	3,338,389
<b>Less Capital Outlay not Included in Net Cost of Services</b>					23,000	(2,325,000)	350,000	(100,000)	(370,000)
<b>Net Cost of Services</b>	<b>\$ 9,328,915</b>	<b>\$ 9,512,301</b>	<b>\$ 6,581,681</b>	<b>\$ 7,699,466</b>	<b>\$ 6,239,970</b>	<b>\$ 6,441,586</b>	<b>\$ 6,598,945</b>	<b>\$ 6,746,802</b>	<b>\$ 6,908,769</b>
<b>Average User Charge</b>					\$ 7.56	\$ 7.78	\$ 7.97	\$ 8.15	\$ 8.34
<b>Average Rate Increase/Decrease</b>						2.91%	2.44%	2.26%	2.33%

<sup>(1)</sup> Does not include depreciation on joint projects (i.e. CSO facilities, North Arm Drain, GWK Drain).

<sup>(2)</sup> Starting in January 2017, storm water disposal charges will be billed separately from sanitary sewage disposal. The storm water fee will be based on each property's estimated contribution to storm water costs.

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

# Community Profiles

YOU ARE VIEWING DATA FOR:

## City of Birmingham

151 Martin St  
Birmingham, MI 48009-3368  
<http://www.bhamgov.org>

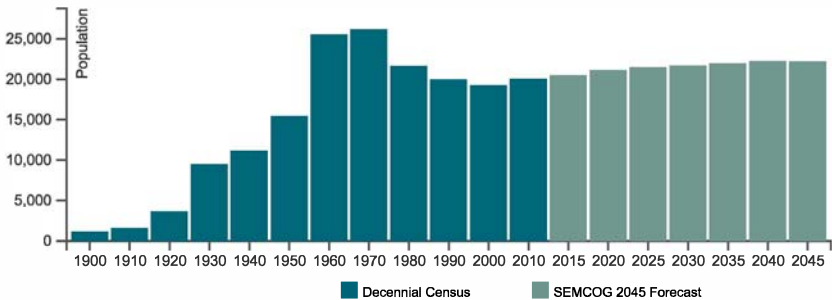


Census 2010 Population:  
20,103  
Area: 4.8 square miles

### Population and Households

Link to American Community Survey (ACS) Profiles: **Select a Year**  **Social | Demographic**  
**Population and Household Estimates for Southeast Michigan, 2018**

### Population Forecast



Note for City of Birmingham : Incorporated in 1933 from Village of Birmingham. Population numbers prior to 1933 are of the village.

Population and Households

Population and Households	Census 2010	Change 2000-2010	Pct Change 2000-2010	SEMCOG Jul 2018	SEMCOG 2045
Total Population	20,103	812	4.2%	20,319	22,251
Group Quarters Population	1	-3	-75.0%	0	0
Household Population	20,102	815	4.2%	20,319	22,251
Housing Units	9,979	279	2.9%	10,052	-
Households (Occupied Units)	9,039	-92	-1.0%	9,530	10,220
Residential Vacancy Rate	9.4%	3.6%	-	5.2%	-
Average Household Size	2.22	0.11	-	2.13	2.18

Source: U.S. Census Bureau, SEMCOG Population and Household Estimates, and SEMCOG 2045 Regional Development Forecast

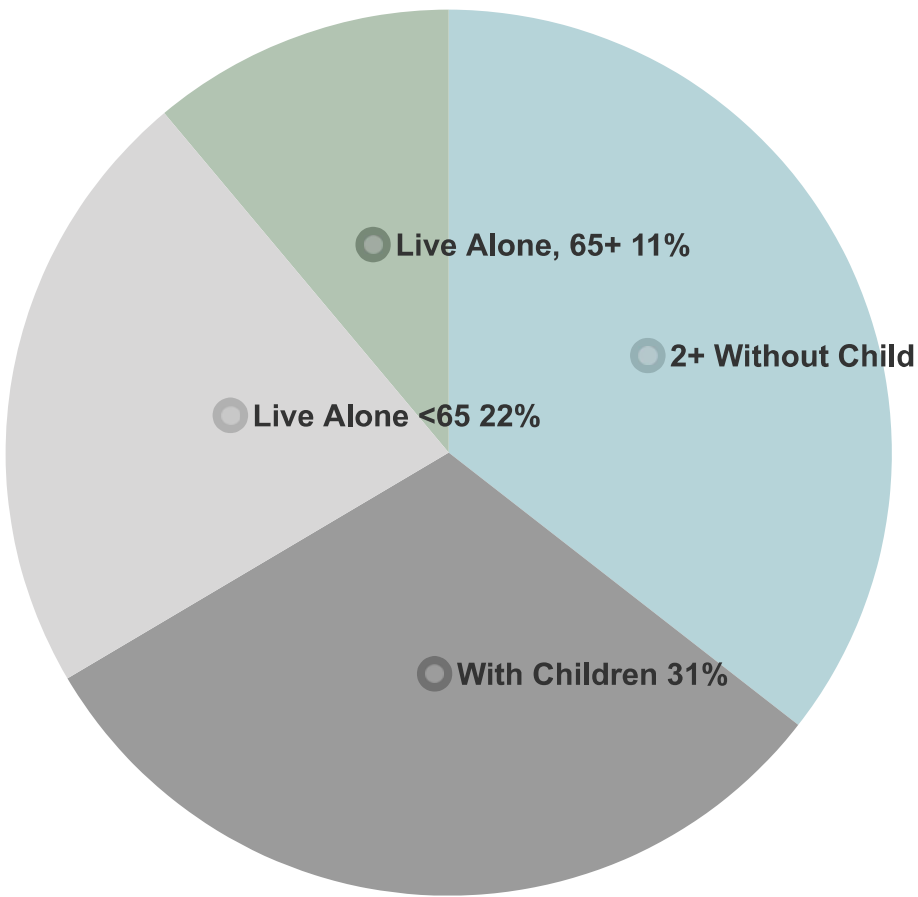
Components of Population Change

Components of Population Change	2000-2005 Avg.	2006-2010 Avg.	2011-2015 Avg.
Natural Increase (Births - Deaths)	160	111	127
Births	325	235	256
Deaths	165	124	129
Net Migration (Movement In - Movement Out)	-199	90	-44
Population Change (Natural Increase + Net Migration)	-39	201	83

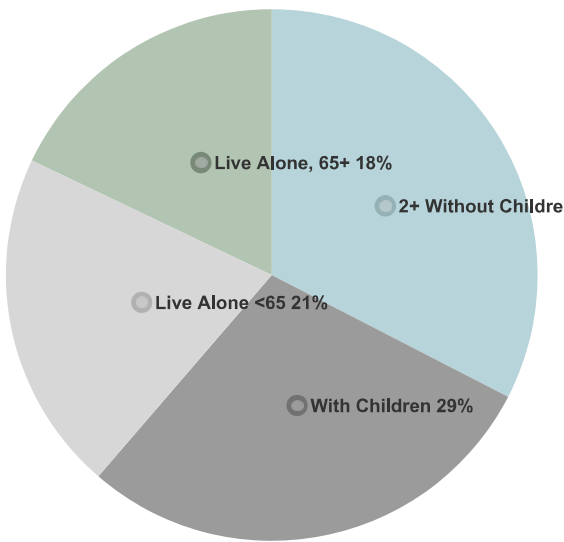
Source: Michigan Department of Community Health Vital Statistics, U.S. Census Bureau, and SEMCOG

Household Types

ACS  
2015



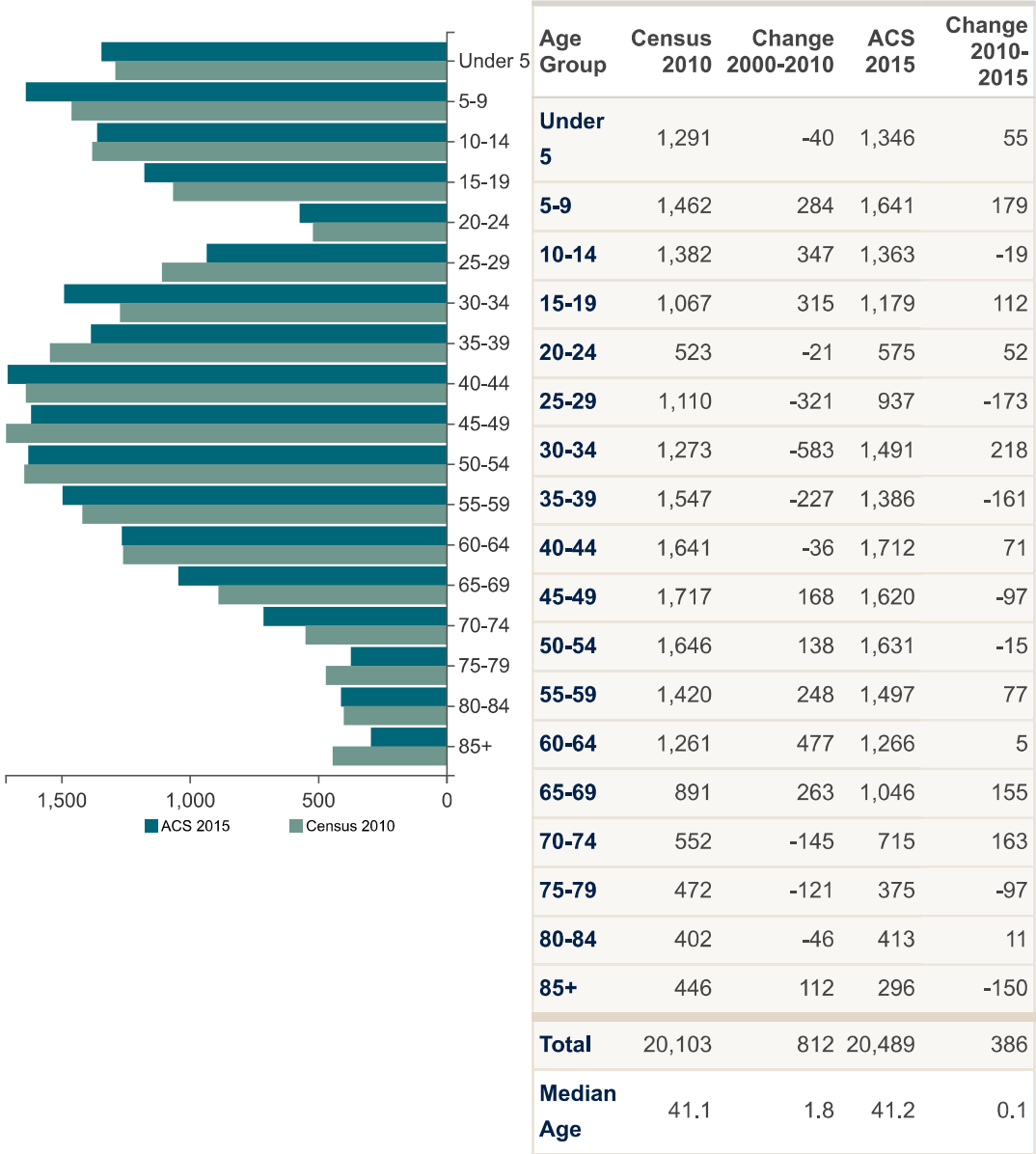
SEMCOG  
2045



Household Types	Census 2010	ACS 2015	Change 2010-2015	Pct Change 2010-2015	SEMOG 2045
With Seniors 65+	2,087	2,151	64	3.1%	3,998
Without Seniors	6,952	6,684	-268	-3.9%	6,222
Live Alone, 65+	969	980	11	1.1%	1,831
Live Alone, <65	2,307	1,980	-327	-14.2%	2,123
2+ Persons, With children	2,695	2,736	41	1.5%	2,936
2+ Persons, Without children	3,068	3,139	71	2.3%	3,330
Total Households	9,039	8,835	-204	-2.3%	10,220

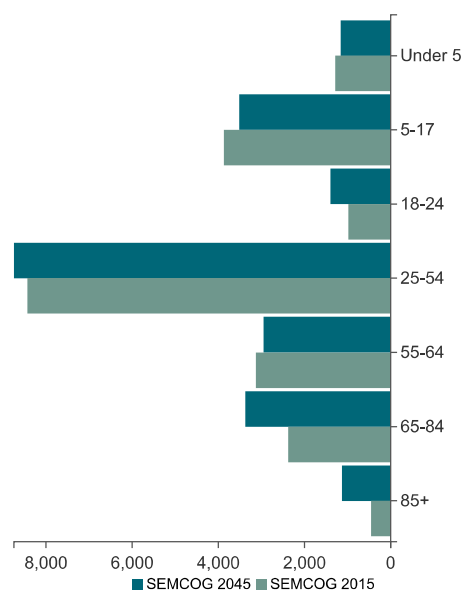
Source: U.S. Census Bureau, Decennial Census, 2015 American Community Survey 5-Year Estimates, and SEMCOG 2045 Regional Development Forecast

### Population Change by Age, 2010-2015



Source: U.S. Census Bureau, Decennial Census, and 2015 American Community Survey 5-Year Estimates

Forecasted Population Change 2015-2045



Age Group	2015	2020	2025	2030	2035	2040	2045	Change 2015 - 2045	Pct Change 2015 - 2045
Under 5	1,281	1,187	1,182	1,198	1,209	1,313	1,154	-127	-9.9%
5-17	3,872	3,527	3,442	3,518	3,520	3,527	3,512	-360	-9.3%
18-24	976	1,210	1,406	1,220	1,188	1,290	1,392	416	42.6%
25-54	8,431	8,539	8,584	8,785	8,825	8,819	8,744	313	3.7%
55-64	3,126	3,401	3,344	3,063	2,963	2,857	2,946	-180	-5.8%
65-84	2,379	2,778	2,993	3,293	3,522	3,501	3,376	997	41.9%
85+	451	520	574	655	773	954	1,127	676	149.9%
Total	20,516	21,162	21,525	21,732	22,000	22,261	22,251	1,735	8.5%

Source: SEMCOG 2045 Regional Development Forecast

Older Adults and Youth Populations

Older Adults and Youth Population	Census 2010	ACS 2015	Change 2010-2015	Pct Change 2010-2015	SEMCOG 2045
60 and over	4,024	4,111	87	2.2%	6,020
65 and over	2,763	2,845	82	3%	4,503
65 to 84	2,317	2,549	232	10%	3,376
85 and Over	446	296	-150	-33.6%	1,127
Under 18	4,939	5,201	262	5.3%	4,666
5 to 17	3,648	3,855	207	5.7%	3,512
Under 5	1,291	1,346	55	4.3%	1,154
Note: Population by age changes over time because of the aging of people into older age groups, the movement of people, and the occurrence of births and deaths.					

Source: U.S. Census Bureau, Decennial Census, 2015 American Community Survey 5-Year Estimates, and SEMCOG 2045 Regional Development Forecast

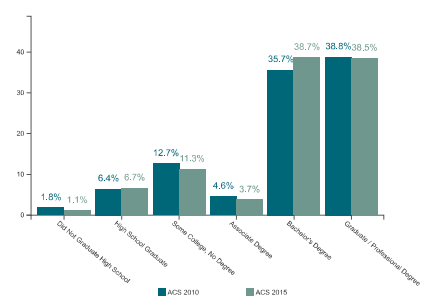
Race and Hispanic Origin

Race and Hispanic Origin	Census 2010	Percent of Population 2010	ACS 2015	Percent of Population 2015	Percentage Point Change 2010-2015
Non-Hispanic	19,684	97.9%	19,849	96.9%	-1%
White	18,243	90.7%	18,279	89.2%	-1.5%
Black	601	3%	587	2.9%	-0.1%
Asian	500	2.5%	453	2.2%	-0.3%
Multi-Racial	285	1.4%	508	2.5%	1.1%
Other	55	0.3%	22	0.1%	-0.2%
Hispanic	419	2.1%	640	3.1%	1%
Total	20,103	100%	20,489	100%	0%

Source: U.S. Census Bureau, Decennial Census, and 2015 American Community Survey 5-Year Estimates

## Highest Level of Education

Highest Level of Education*	ACS 2010	ACS 2015	Percentage Point Chg 2010-2015
Did Not Graduate High School	1.8%	1.1%	-0.7%
High School Graduate	6.4%	6.7%	0.2%
Some College, No Degree	12.7%	11.3%	-1.4%
Associate Degree	4.6%	3.7%	-0.9%
Bachelor's Degree	35.7%	38.7%	3%
Graduate / Professional Degree	38.8%	38.5%	-0.3%
* Population age 25 and over			



Source: **U.S. Census Bureau, 2010 and 2015 American Community Survey 5-Year Estimates**

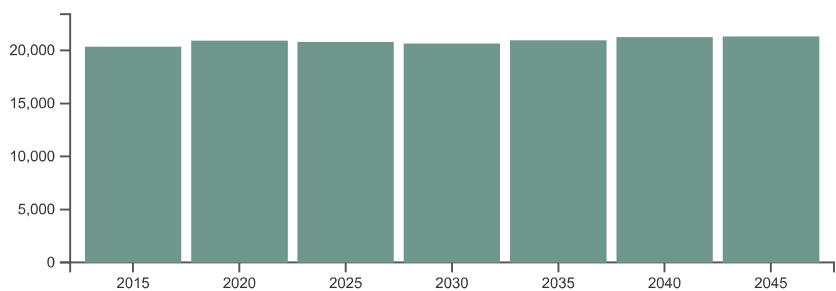
## Economy & Jobs

Link to American Community Survey (ACS) Profiles: **Select a Year**

2013-2017 ▾

**Economic**

### Forecasted Jobs



Source: **SEMCOG 2045 Regional Development Forecast**



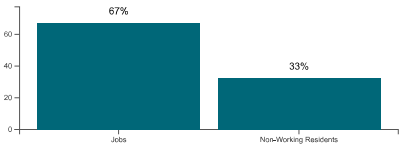
Forecasted Jobs by Industry Sector

Forecasted Jobs By Industry Sector	2015	2020	2025	2030	2035	2040	2045	Change 2015-2045	Pct Change 2015-2045
Natural Resources, Mining, & Construction	664	743	709	699	706	713	720	56	8.4%
Manufacturing	301	288	272	252	239	228	216	-85	-28.2%
Wholesale Trade	376	386	385	381	381	380	378	2	0.5%
Retail Trade	1,545	1,611	1,549	1,478	1,442	1,413	1,376	-169	-10.9%
Transportation, Warehousing, & Utilities	219	227	225	223	226	229	233	14	6.4%
Information & Financial Activities	4,938	5,048	4,966	4,877	4,918	4,939	4,938	0	0%
Professional and Technical Services & Corporate HQ	3,625	3,558	3,543	3,539	3,612	3,710	3,642	17	0.5%
Administrative, Support, & Waste Services	1,491	1,546	1,566	1,574	1,609	1,644	1,666	175	11.7%
Education Services	1,028	1,070	1,065	1,060	1,069	1,079	1,093	65	6.3%
Healthcare Services	1,759	1,919	2,024	2,090	2,236	2,390	2,535	776	44.1%
Leisure & Hospitality	2,192	2,277	2,294	2,296	2,342	2,363	2,387	195	8.9%
Other Services	1,854	1,901	1,856	1,821	1,815	1,803	1,778	-76	-4.1%
Public Administration	333	340	339	336	336	336	335	2	0.6%
Total Employment Numbers	20,325	20,914	20,793	20,626	20,931	21,227	21,297	972	4.8%

Source: SEMCOG 2045 Regional Development Forecast

Daytime Population

Daytime Population	SEMCOG and ACS 2015
Jobs	20,325
Non-Working Residents	9,820
Age 15 and under	4,654
Not in labor force	4,759
Unemployed	407
Daytime Population	30,145



Source: SEMCOG 2045 Regional Development Forecast and 2015 American Community Survey 5-Year Estimates

Note: The number of residents attending school outside Southeast Michigan is not available. Likewise, the number of students commuting into Southeast Michigan to attend school is also not known.

Where Workers Commute From 2013

Rank	Where Workers Commute From *	Workers	Percent
1	Birmingham	2,105	14.4%
2	Royal Oak	1,393	9.5%
3	Bloomfield Twp	946	6.5%
4	Troy	899	6.2%
5	Waterford Twp	563	3.9%
6	Detroit	559	3.8%
7	Sterling Heights	551	3.8%
8	Rochester Hills	502	3.4%
9	Warren	374	2.6%
10	West Bloomfield Twp	335	2.3%
-	Elsewhere	6,373	43.7%
* Workers, age 16 and over employed in Birmingham city		14,600	100%

Source: U.S. Census Bureau - 2009-2013 CTPP/ACS Commuting Data and Commuting Patterns in Southeast Michigan

Where Residents Work 2013

Rank	Where Residents Work *	Workers	Percent
1	Birmingham	2,105	21.1%
2	Troy	1,168	11.7%
3	Detroit	958	9.6%
4	Southfield	769	7.7%
5	Royal Oak	633	6.3%
6	Bloomfield Twp	434	4.3%
7	Farmington Hills	352	3.5%
8	Auburn Hills	350	3.5%
9	Dearborn	327	3.3%
10	Beverly Hills	214	2.1%
-	Elsewhere	2,682	26.8%
* Workers, age 16 and over residing in Birmingham city		9,992	100%

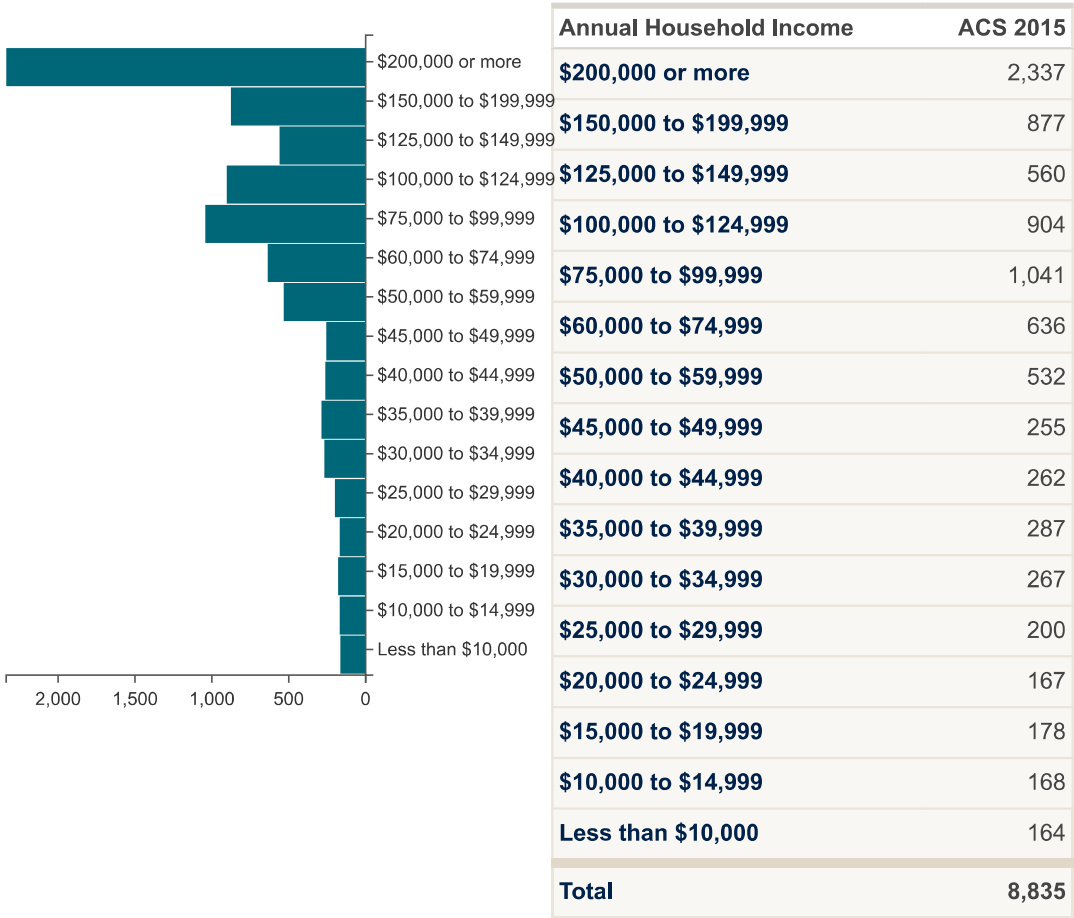
Source: U.S. Census Bureau - 2009-2013 CTPP/ACS Commuting Data and Commuting Patterns in Southeast Michigan

## Household Income

Income (in 2015 dollars)	ACS 2010	ACS 2015	Change 2010-2015	Percent Change 2010-2015
Median Household Income	\$110,357	\$108,135	\$-2,222	-2%
Per Capita Income	\$75,164	\$71,972	\$-3,192	-4.2%

Source: U.S. Census Bureau, 2010 and 2015 American Community Survey 5-Year Estimates

## Annual Household Income



Source: U.S. Census Bureau, 2015 American Community Survey 5-Year Estimates

## Poverty

Poverty	ACS 2010	% of Total (2010)	ACS 2015	% of Total (2015)	% Point Chg 2010-2015
Persons in Poverty	760	3.8%	827	4%	0.2%
Households in Poverty	428	4.8%	339	3.8%	-0.9%

Source: U.S. Census Bureau, 2010 and 2015 American Community Survey 5-Year Estimates

Building Permits 2000 - 2018

Year	Single Family	Two Family	Attach Condo	Multi Family	Total Units	Total Demos	Net Total
2000	46	0	0	0	46	25	21
2001	67	0	0	0	67	0	67
2002	66	0	0	0	66	0	66
2003	91	0	22	0	113	25	88
2004	127	0	0	0	127	97	30
2005	127	0	0	0	127	14	113
2006	59	0	0	0	59	31	28
2007	32	0	0	0	32	12	20
2008	17	0	0	27	44	10	34
2009	22	0	0	0	22	12	10
2010	28	0	0	0	28	23	5
2011	42	0	0	0	42	27	15
2012	59	0	0	0	59	49	10
2013	73	0	2	131	206	61	145
2014	104	0	0	0	104	75	29
2015	102	0	14	27	143	113	30
2016	83	0	3	0	86	68	18
2017	81	0	0	16	97	78	19
2018	76	2	8	106	192	76	116
2000 to 2018 totals	1,302	2	49	307	1,660	796	864

Source: **SEMCOG Development**  
Note: Permit data for most recent years may be incomplete and is updated monthly.

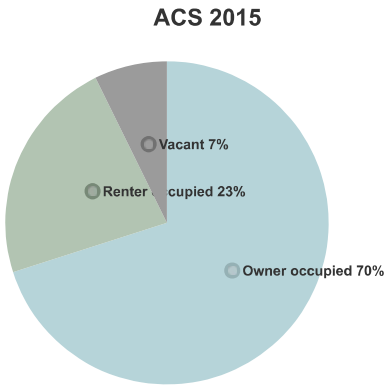
## Housing Types

Housing Type	ACS 2010	ACS 2015	Change 2010-2015	New Units Permitted 2015-2018
Single Family Detached	7,205	7,045	-160	342
Duplex	141	167	26	2
Townhouse / Attached Condo	529	620	91	25
Multi-Unit Apartment	2,000	1,697	-303	149
Mobile Home / Manufactured Housing	16	0	-16	0
Other	0	0	0	
Total	9,891	9,529	-362	518
Units Demolished				-335
Net (Total Permitted Units - Units Demolished)				183

Source: U.S. Census Bureau, 2010 and 2015 American Community Survey 5-Year Estimates, SEMCOG Development

## Housing Tenure

Housing Tenure	Census 2010	ACS 2015	Change 2010-2015
Owner occupied	6,599	6,678	79
Renter occupied	2,440	2,157	-283
Vacant	940	694	-246
Seasonal/migrant	144	246	102
Other vacant units	796	448	-348
Total Housing Units	9,979	9,529	-450



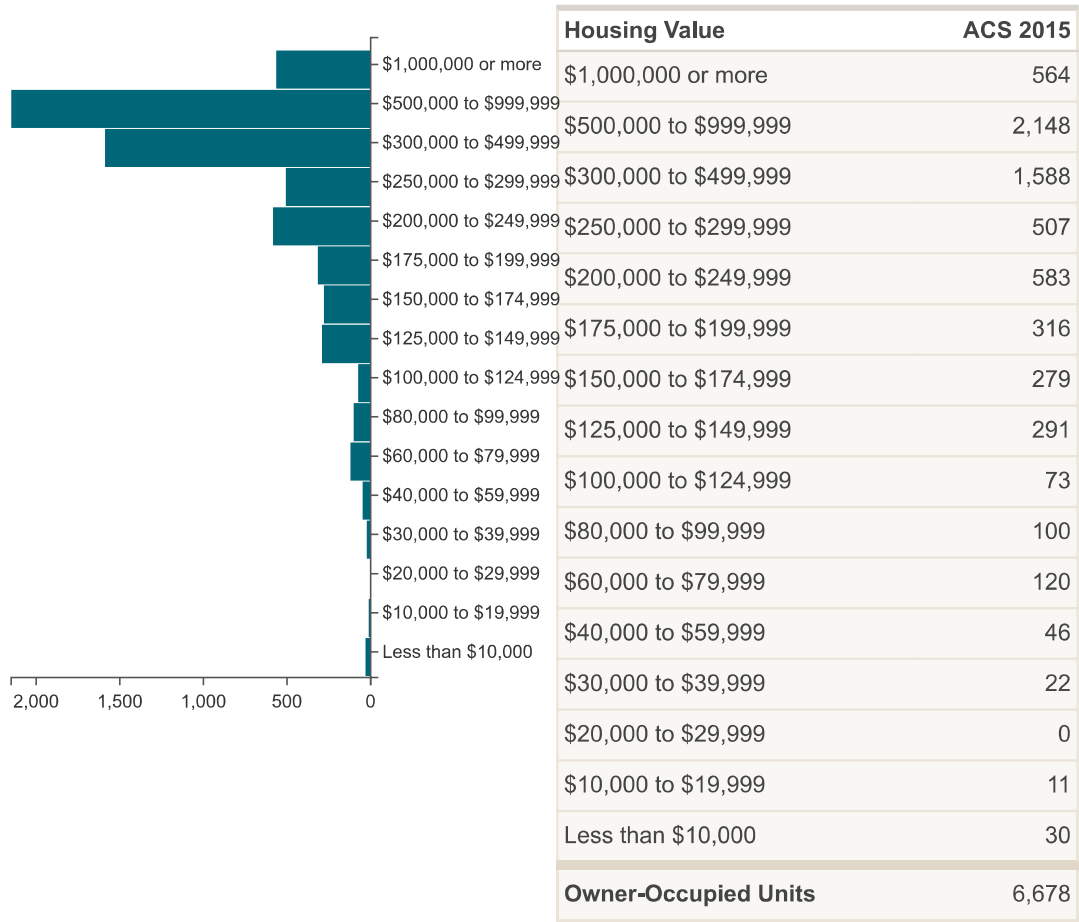
Source: U.S. Census Bureau, 2010 and 2015 American Community Survey 5-Year Estimates

## Housing Value and Rent

Housing Value (in 2015 dollars)	ACS 2010	ACS 2015	Change 2010-2015	Percent Change 2010-2015
Median housing value	\$406,425	\$410,700	\$4,275	1.1%
Median gross rent	\$1,311	\$1,270	\$-41	-3.1%

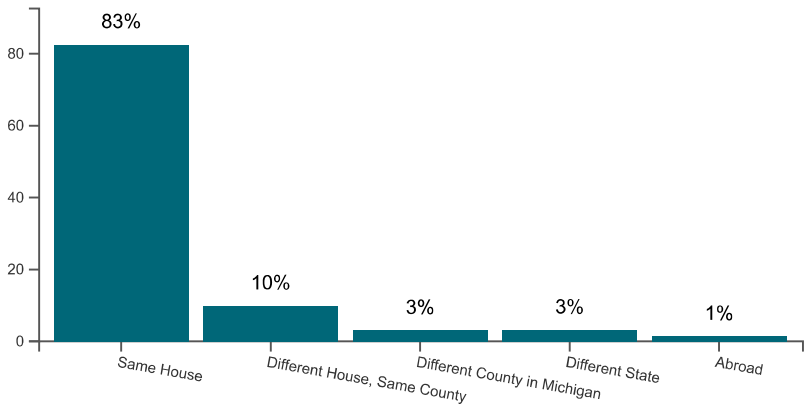
Source: U.S. Census Bureau, Census 2000, 2010 and 2015 American Community Survey 5-Year Estimates

Housing Value



Source: U.S. Census Bureau, 2015 American Community Survey 5-Year Estimates

Residence One Year Ago \*



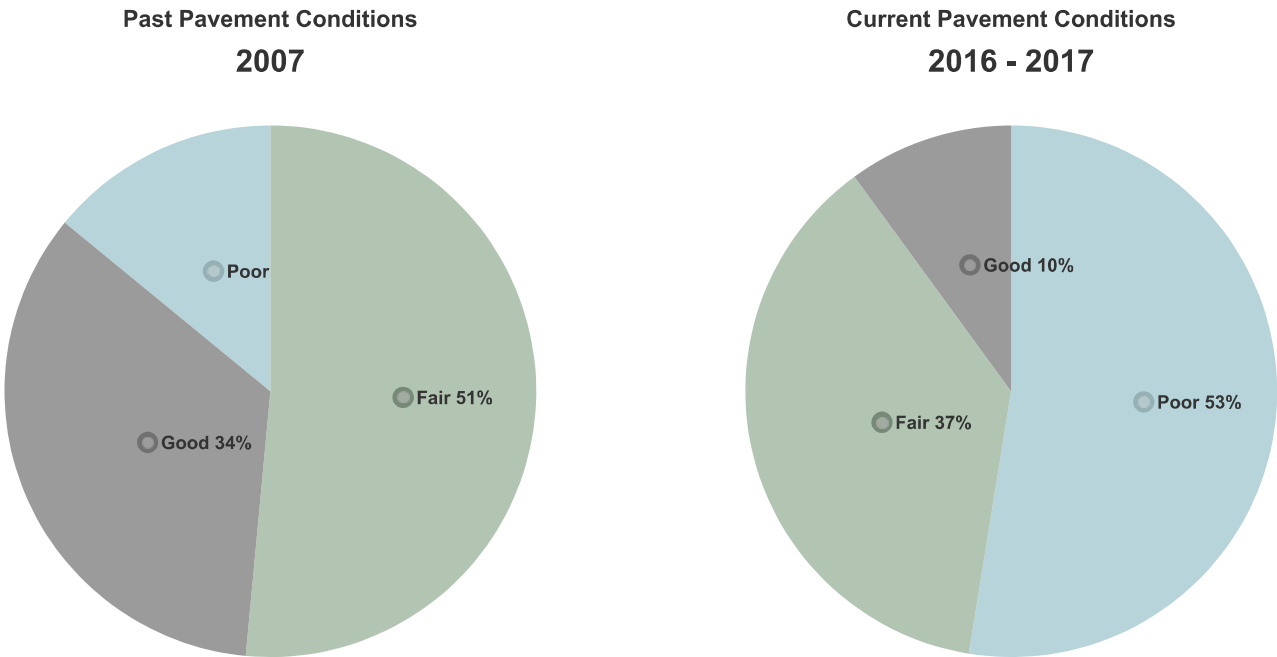
\* This table represents persons, age 1 and over, living in City of Birmingham from 2011-2015. The table does not represent person who moved out of City of Birmingham from 2011-2015.

Source: U.S. Census Bureau, 2015 American Community Survey 5-Year Estimates

# Transportation

Miles of public road (including boundary roads): 90  
Source: Michigan Geographic Framework

## Pavement Condition (in Lane Miles)



Note: Poor pavements are generally in need of rehabilitation or full reconstruction to return to good condition. Fair pavements are in need of capital preventive maintenance to avoid deteriorating to the poor classification. Good pavements generally receive only routine maintenance, such as street sweeping and snow removal, until they deteriorate to the fair condition.

Source: SEMCOG

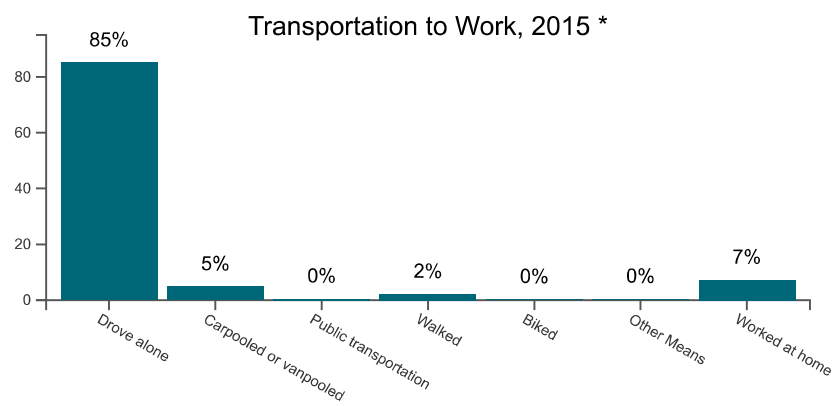
## Bridge Status

Bridge Status	2008	2008 (%)	2009	2009 (%)	2010	2010 (%)	Percent Point Chg 2008-2010
Open	8	88.9%	6	66.7%	6	85.7%	-3.2%
Open with Restrictions	1	11.1%	3	33.3%	1	14.3%	3.2%
Closed*	0	0%	0	0%	0	0%	0%
Total Bridges	9	100.0%	9	100.0%	7	100.0%	0.0%
Deficient Bridges	1	11.1%	3	33.3%	1	14.3%	3.2%

\* Bridges may be closed because of new construction or failed condition.

Note: A bridge is considered deficient if it is structurally deficient (in poor shape and unable to carry the load for which it was designed) or functionally obsolete (in good physical condition but unable to support current or future demands, for example, being too narrow to accommodate truck traffic).

Source: Michigan Structure Inventory and Appraisal Database



\* Resident workers age 16 and over

## Transportation to Work

Transportation to Work	ACS 2010	% of Total (ACS 2010)	ACS 2015	% of Total (ACS 2015)	% Point Chg 2010-2015
<b>Drove alone</b>	8,798	87.5%	9,027	85%	-2.5%
<b>Carpooled or vanpooled</b>	345	3.4%	505	4.8%	1.4%
<b>Public transportation</b>	20	0.2%	41	0.4%	0.2%
<b>Walked</b>	256	2.5%	221	2.1%	-0.4%
<b>Biked</b>	11	0.1%	24	0.2%	0.1%
<b>Other Means</b>	57	0.6%	35	0.3%	-0.3%
<b>Worked at home</b>	568	5.6%	761	7.2%	1.6%
<b>Resident workers age 16 and over</b>	10,055	100.0%	10,614	100.0%	0.0%

Source: U.S. Census Bureau, 2010 and 2015 American Community Survey 5-Year Estimates

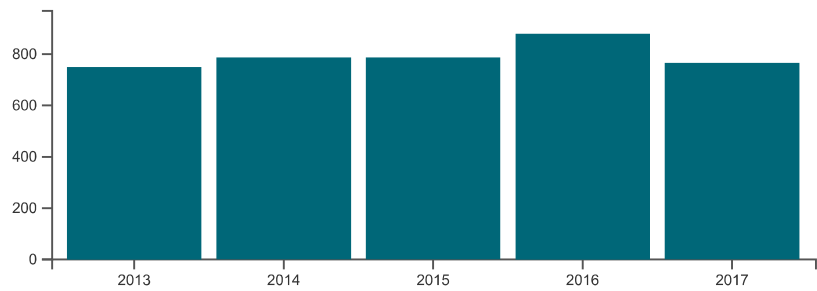
## Mean Travel Time to Work

Mean Travel Time To Work	ACS 2010	ACS 2015	Change 2010-2015
<b>For residents age 16 and over who worked outside the home</b>	22.8 minutes	20.5 minutes	-2.3 minutes

Source: U.S. Census Bureau, 2010 and 2015 American Community Survey 5-Year Estimates



Crashes, 2013-2017



Source: **Michigan Department of State Police with the Criminal Justice Information Center** and **SEMCOG**  
Note: Crash data shown is for the entire city.

Crash Severity

Crash Severity	2013	2014	2015	2016	2017	Percent of Crashes 2013 - 2017
<u>Fatal</u>	0	0	0	0	0	0%
<u>Serious Injury</u>	4	4	0	0	4	0.3%
<u>Other Injury</u>	114	120	117	134	109	15%
<u>Property Damage Only</u>	632	663	670	746	653	84.7%
<u>Total Crashes</u>	750	787	787	880	766	100%

Crashes by Type

Crashes by Type	2013	2014	2015	2016	2017	Percent of Crashes 2013 - 2017
<u>Head-on</u>	6	3	5	2	2	0.5%
<u>Angle or Head-on/Left-turn</u>	167	179	170	192	134	21.2%
<u>Rear-End</u>	278	253	288	316	278	35.6%
<u>Sideswipe</u>	130	155	172	180	157	20%
<u>Single Vehicle</u>	42	51	45	54	45	6%
<u>Backing</u>	N/A	N/A	0	6	52	1.5%
<u>Other or Unknown</u>	127	146	107	130	98	15.3%

Crashes by Involvement

Crashes by Involvement	2013	2014	2015	2016	2017	Percent of Crashes 2013 - 2017
<u>Red-light Running</u>	14	14	12	22	20	2.1%
<u>Lane Departure</u>	53	63	54	80	66	8%
<u>Alcohol</u>	24	21	21	14	12	2.3%
<u>Drugs</u>	4	3	2	2	2	0.3%
<u>Deer</u>	3	7	3	3	5	0.5%
<u>Train</u>	0	0	1	0	0	0%
<u>Commercial Truck/Bus</u>	31	46	35	54	35	5.1%
<u>School Bus</u>	5	7	6	1	4	0.6%
<u>Emergency Vehicle</u>	1	3	2	3	6	0.4%
<u>Motorcycle</u>	2	4	2	6	4	0.5%
<u>Intersection</u>	261	228	181	260	186	28.1%
<u>Work Zone</u>	2	11	3	9	11	0.9%
<u>Pedestrian</u>	6	10	6	7	10	1%
<u>Bicyclist</u>	5	7	4	2	5	0.6%
<u>Distracted Driver</u>	0	0	0	27	51	2%
<u>Older Driver (65 and older)</u>	157	171	168	196	178	21.9%
<u>Young Driver (16 to 24)</u>	219	218	211	283	226	29.1%

High Frequency Intersection Crash Rankings

Local Rank	County Rank	Region Rank	Intersection	Annual Avg 2013-2017
1	107	278	<a href="#">Maple Rd E @ Coolidge Rd</a>	24
2	107	278	<a href="#">Maple Rd E @ Woodward Ave</a>	24
3	164	442	<a href="#">Maple Rd E @ Woodward Ave</a>	19.6
4	220	632	<a href="#">Maple Rd E @ Old Woodward Ave N</a>	16.4
5	258	751	<a href="#">14 Mile Rd E @ Woodward Ave</a>	15
6	273	794	<a href="#">Adams Rd @ Maple Rd E</a>	14.6
7	287	836	<a href="#">Quarton Rd @ Woodward Ave</a>	14.2
8	323	941	<a href="#">14 Mile Rd W @ Southfield Rd</a>	13.2
9	416	1,209	<a href="#">Woodward Ave @ Brown St E</a>	11.4
10	445	1,282	<a href="#">Woodward Ave @ Lincoln E</a>	11

Note: Intersections are ranked by the number of reported crashes, which does not take into account traffic volume. Crashes reported occurred within 150 feet of the intersection.

Source: **Michigan Department of State Police with the Criminal Justice Information Center** and **SEMCOG**

High Frequency Road Segment Crash Rankings

Local Rank	County Rank	Region Rank	Segment	From Road - To Road	Annual Avg 2013-2017
1	68	167	<a href="#">Quarton Rd</a>	Lahser Rd - Woodward Ave	48
2	94	223	<a href="#">Maple Rd W</a>	Cranbrook Rd S - Southfield Rd	43
3	143	365	<a href="#">Maple Rd E</a>	Adams Rd - Coolidge Rd	35.4
4	211	537	<a href="#">Woodward Ave</a>	Adams Rd - 14 Mile Rd E	30
5	225	584	<a href="#">Woodward Ave</a>	Adams Rd - 14 Mile Rd W	29.2
6	287	720	<a href="#">Adams Rd N</a>	Maple Rd E - Big Beaver Rd W	26.8
7	356	873	<a href="#">Woodward Ave</a>	Maple Rd E - Old Woodward Ave S	24
8	356	873	<a href="#">Adams Rd</a>	Lincoln E - Maple Rd E	24
9	365	887	<a href="#">Coolidge Rd</a>	Maple Rd E - Big Beaver Rd W	23.8
10	418	1,022	<a href="#">Maple Rd E</a>	Woodward Ave - Adams Rd	22

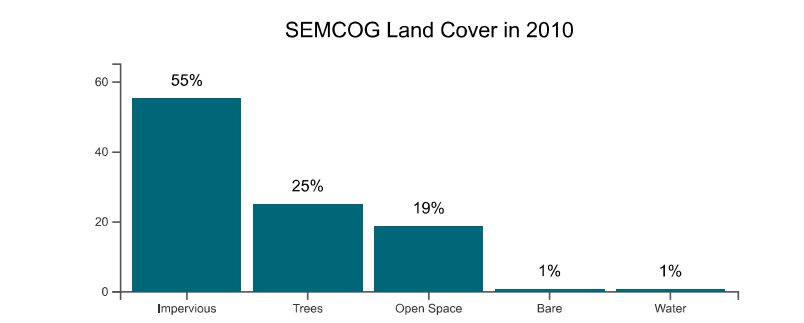
Note: Segments are ranked by the number of reported crashes, which does not take into account traffic volume.

SEMCOG 2008 Land Use

SEMCOG 2008 Land Use	Acres	Percent
Agricultural	0	0%
Single-family residential	1,677.7	52.2%
Multiple-family residential	34.1	1.1%
Commercial	155.6	4.8%
Industrial	34.6	1.1%
Governmental/Institutional	252.9	7.9%
Park, recreation, and open space	237.4	7.4%
Airport	0	0%
Transportation, Communication, and Utility	812.9	25.3%
Water	11.5	0.4%
Total	3,216.7	100%

Note: Land Cover was derived from SEMCOG's 2010 Leaf off Imagery.

Source: [SEMCOG](#)



Source Data  
SEMCOG - Detailed Data

Type	Description	Acres	Percent
Impervious	buildings, roads, driveways, parking lots	1,697.4	55.2%
Trees	woody vegetation, trees	767.4	24.9%
Open Space	agricultural fields, grasslands, turfgrass	572.5	18.6%
Bare	soil, aggregate piles, unplanted fields	19.8	0.6%
Water	rivers, lakes, drains, ponds	18.8	0.6%
Total Acres		3,075.9	

**Part 1 - History of Actual Property Tax Levies:**

	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
History of Form L-4025, Assessor's Report of Taxable Values:					
New property additions	\$ 1,842,028,420	\$ 1,895,084,170	\$ 2,001,037,050	\$ 2,110,188,780	\$ 2,220,344,410
Property losses	33,573,753	55,400,552	84,086,384	71,343,980	65,325,894
Increases in existing property TV (imputed; includes both uncapping and Headlee inflation increases)	(15,257,897)	(10,951,259)	(17,980,114)	(13,236,860)	(14,272,588)
	<u>34,739,894</u>	<u>61,503,587</u>	<u>43,045,460</u>	<u>52,048,510</u>	<u>87,969,464</u>
Current year taxable value	<b>\$ 1,895,084,170</b>	<b>\$ 2,001,037,050</b>	<b>\$ 2,110,188,780</b>	<b>\$ 2,220,344,410</b>	<b>\$ 2,359,367,180</b>
Headlee inflation rate	1.60%	1.60%	0.30%	0.90%	2.10%
Actual increase on existing properties	0.30%	1.65%	1.85%	1.57%	1.88%
Total change in taxable value	2.88%	5.59%	5.45%	5.22%	6.26%
Headlee reduction fraction	0.9970	0.9839	0.9817	0.9846	0.9818

**Part 2 - Projection of Future Property Taxes:**

	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
Fiscal year ending June 30,					
Assumed rate of:					
New property additions	2.94%	2.07%	1.50%	1.00%	1.00%
Property losses	0.64%	0.65%	0.75%	0.75%	0.75%
Headlee Inflation rate multiplier	2.10%	2.40%	2.00%	2.00%	2.00%
Projected actual change in TV of existing property	1.88%	1.20%	1.20%	1.20%	1.20%
Total change in taxable value	6.26%	5.00%	3.93%	3.44%	3.43%
Projected taxable value:					
Beginning value	\$ 2,220,344,410	\$ 2,359,367,180	\$ 2,477,439,351	\$ 2,574,926,589	\$ 2,663,375,318
New property additions	65,325,894	48,838,901	37,161,590	25,749,266	26,633,753
Property losses	(14,272,588)	(15,335,887)	(18,580,795)	(19,311,949)	(19,975,315)
Market value adjustments	<u>87,969,464</u>	<u>84,569,157</u>	<u>78,906,443</u>	<u>82,011,412</u>	<u>84,828,504</u>
Taxable value	<b>\$ 2,359,367,180</b>	<b>\$ 2,477,439,351</b>	<b>\$ 2,574,926,589</b>	<b>\$ 2,663,375,318</b>	<b>\$ 2,754,862,260</b>
Headlee rollback factor	0.9818	0.9883	0.9883	0.9883	0.9883
Less tax incremental taxable value	\$ 19,813,670	\$ 10,980,370	\$ 17,596,980	\$ 18,371,070	\$ 18,738,490

**Part 3 - Millage Rates:**

Operating - General Fund	8.5027	8.1354	8.0510	8.2040	8.5052
Road - General Fund	<u>2.1372</u>	<u>2.4326</u>	<u>2.5417</u>	<u>2.4575</u>	<u>2.1929</u>
General Fund subtotal	10.6399	10.5680	10.5927	10.6615	10.6981
George W. Kuhn Drain	0.1703	0.1614	0.1555	0.1503	0.1163
North Arm Drain	0.0791	0.0751	0.0707	0.0000	0.0000
Water Fund	<u>0.3206</u>	<u>0.4054</u>	<u>0.3910</u>	<u>0.3781</u>	<u>0.3655</u>
City operating levy subtotal	11.2099	11.2099	11.2099	11.1899	11.1799
Library tax	1.3891	1.3728	1.3567	1.1000	1.1000
Refuse	0.8036	0.7866	0.7742	0.7637	0.7529
Debt	<u>1.1116</u>	<u>1.0940</u>	<u>1.0327</u>	<u>0.5534</u>	<u>0.5112</u>
Total millage rates	<b><u>14.5142</u></b>	<b><u>14.4633</u></b>	<b><u>14.3735</u></b>	<b><u>13.6070</u></b>	<b><u>13.5440</u></b>

**Part 4 - Amount of Property Tax Levy:**

Operating - General Fund	\$19,892,520	\$20,065,630	\$20,589,060	\$21,699,610	\$23,271,280
Road - General Fund	<u>5,000,000</u>	<u>6,000,000</u>	<u>6,500,000</u>	<u>6,500,000</u>	<u>6,000,000</u>
General Fund subtotal	24,892,520	26,065,630	27,089,060	28,199,610	29,271,280
George W. Kuhn Drain	398,340	398,071	397,610	397,670	318,121
North Arm Drain	184,950	185,314	180,718	-	-
Water Fund	<u>750,000</u>	<u>1,000,000</u>	<u>1,000,000</u>	<u>1,000,000</u>	<u>1,000,000</u>
City operating levy subtotal	26,225,810	27,649,015	28,667,388	29,597,280	30,589,401
Library tax	3,249,870	3,385,955	3,469,627	2,909,505	3,009,736
Refuse	1,880,000	1,940,000	1,980,000	2,020,000	2,060,000
Debt	<u>2,628,260</u>	<u>2,715,900</u>	<u>2,664,500</u>	<u>1,476,800</u>	<u>1,411,000</u>
<b>Total Property Taxes Levied</b>	<b>\$ 33,983,940</b>	<b>\$ 35,690,870</b>	<b>\$ 36,781,515</b>	<b>\$ 36,003,585</b>	<b>\$ 37,070,137</b>

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

## Property Tax Assumptions

Appendix B illustrates the process used to estimate the property tax revenue.

Part I includes the last five years of actual data, from the Assessor's Report of Taxable Values (Form L-4025). Parts 2 through 4 represent the projection of future property tax values, millage rates, and dollars levied. The 2018 tax billing is already final (billed July 1, 2018); key assumptions for 2019-2020 through 2022-2023 on a line-by-line basis are as follows:

- a. New property additions are assumed to range between 1.00 percent and 2.07 percent, and losses are assumed to be 0.65 percent and 0.75 percent (the five-year historical average is 2.80 percent in additions and 0.6 percent in losses).
- b. The projected actual change in taxable values of existing properties is expected to be positively impacted by the current improvements in the local real estate market. Note that this index represents the net change in valuation for all properties that existed in the previous year; therefore, it includes three components: (1) inflationary adjustments (as indicated by the Headlee inflation rate multiplier), (2) uncapping of properties that are transferred or sold, and (3) any reductions in market value that cause SEV (50 percent of market value) to go lower than the TV. While market value increases are expected to continue, the impact on taxable value is limited because of Proposal A. As a result, this forecast has assumed that adjustments to the taxable value of existing properties for the years 2019-2020 through 2022-2023 will be a positive 1.20 percent. The annual change in taxable value for the years 2019-2020 through 2022-2023 is projected to be 5.00 percent in 2019-2020 with smaller increases in subsequent years to 3.43 in 2022-2023.
- c. The Headlee inflation rate multiplier for years 2018 and 2019 have already been set by the State at 2.10 percent and 2.40 percent, respectively. This projection assumes future inflation rates of 2.00 percent for 2020-2021, 2021-2022, and 2022-2023, respectively.
- d. Taxable values are then calculated based on the above three factors.
- e. Millage rates are set as required to achieve the amount of property tax levy required in Part 4. Specifically:
  1. The millage rate for the city operating levy is assumed to remain constant through the forecasted 2020-2021 fiscal year and decrease in 2021-2022 and 2022-2023.
  2. The millage rate for the Solid Waste (Refuse) Fund is expected to continue to decrease for the forecasted years.
  3. The debt millage rate is expected to decrease due to the increase in taxable value growth and refinancing of the debt in October 2016.
  4. The millage rates for the George W. Kuhn levy, the North Arm Drain levy, and the debt levy were provided by the finance department and are established at the amount necessary to fund debt service.

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

5. The library tax levy for the 2019 tax year is at the 1.3728 estimated maximum rate for 2019-2020 and decreases back to 1.1000 in the 2021-2022 and 2022-2023 forecasted years.
6. Beginning in 2015-2016 through 2022-2023, a Water Fund millage rate was established to finance capital improvements.

f. Property tax millage rates are limited by City Charter and Headlee Amendment as follows:

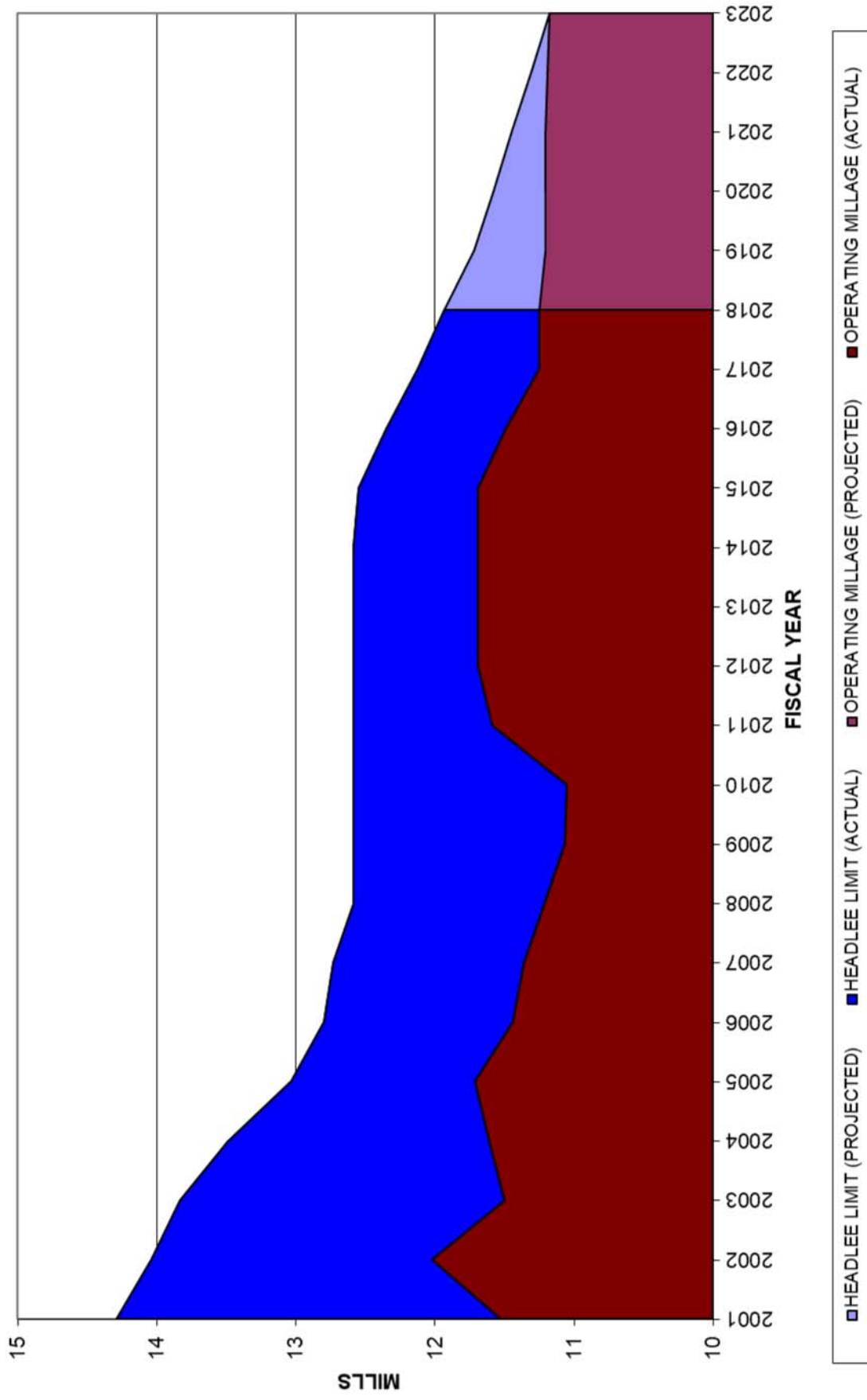
*As of Fiscal Year 2018-2019*

Tax Levy	City Charter Limit	Headlee Amendment Limit
City Operating Levy	20.0000	11.7196
Library	1.7500	1.3891
Refuse	3.0000	1.7576

All tax levies under this forecast are projected to be at or under the Headlee limit in the future.

- g. The City considered the effects of tax incremental financing on property tax revenue in the forecast. The City uses tax incremental financing as a tool to encourage redevelopment of properties that would otherwise likely not be redeveloped. Tax incremental financing is primarily used to reimburse developers who have removed environmental contamination from their property in the course of redevelopment. The City is also planning on using tax incremental financing to pay for a portion of a parking deck located in the Triangle District, which consists of commercial properties located within the Maple, Adams, and Woodward boundaries. Tax incremental financing works by capturing property taxes generated from an increase in a property's value as a result of redevelopment and using the taxes for the stated purposes above.

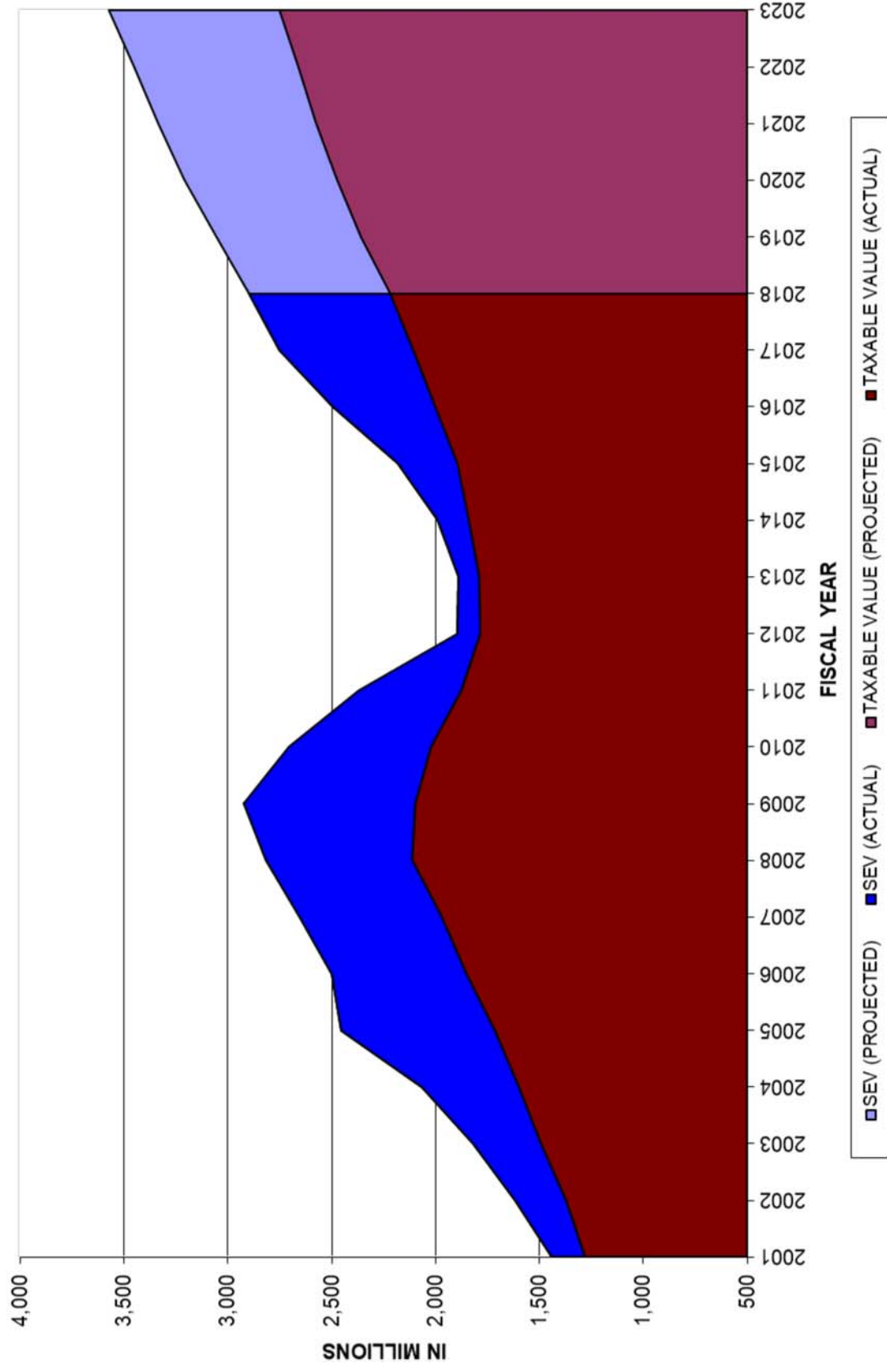
# HEADLEE LIMIT VS. OPERATING MILLAGE



See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

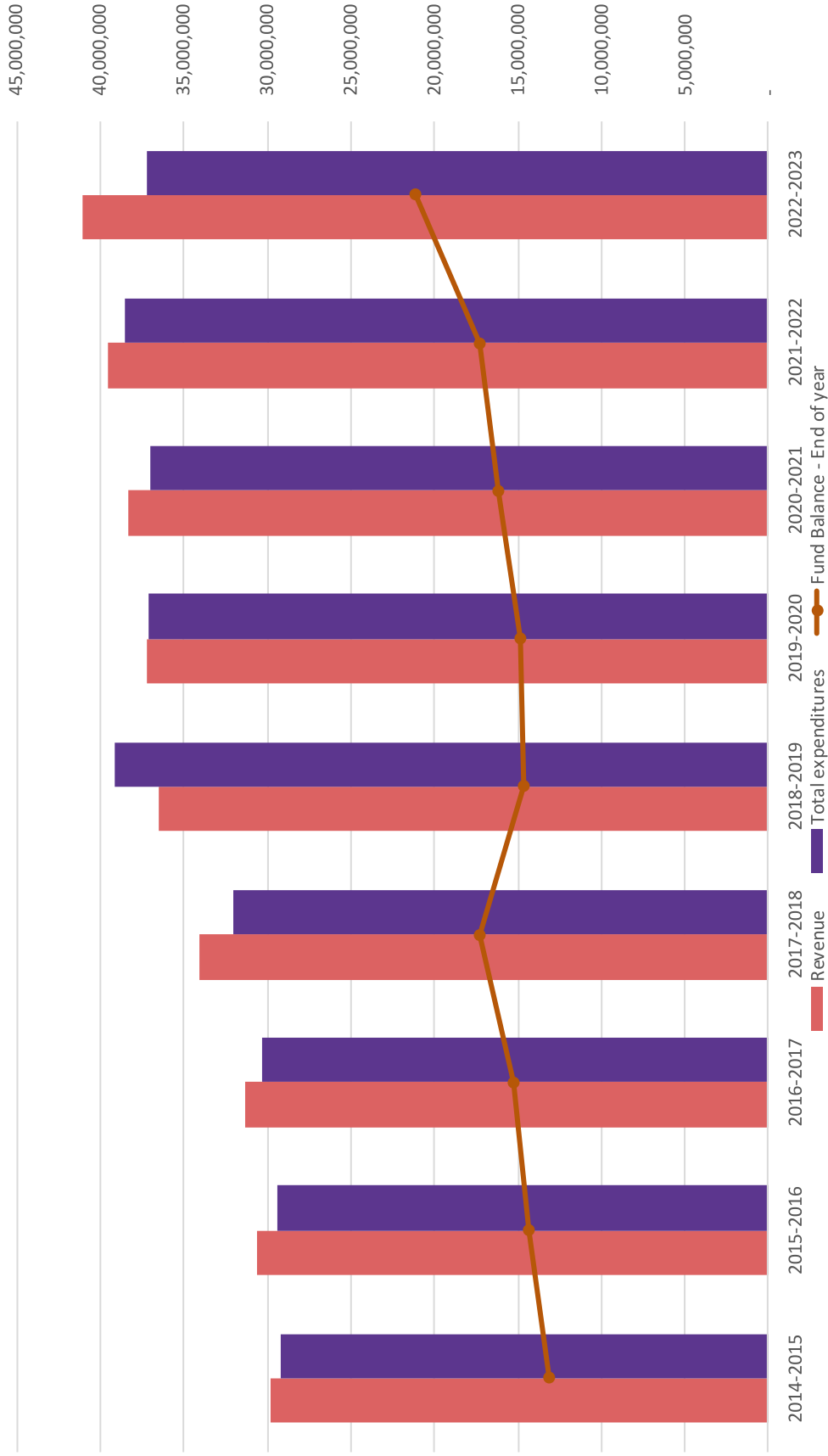


## SEV VS. TAXABLE VALUE



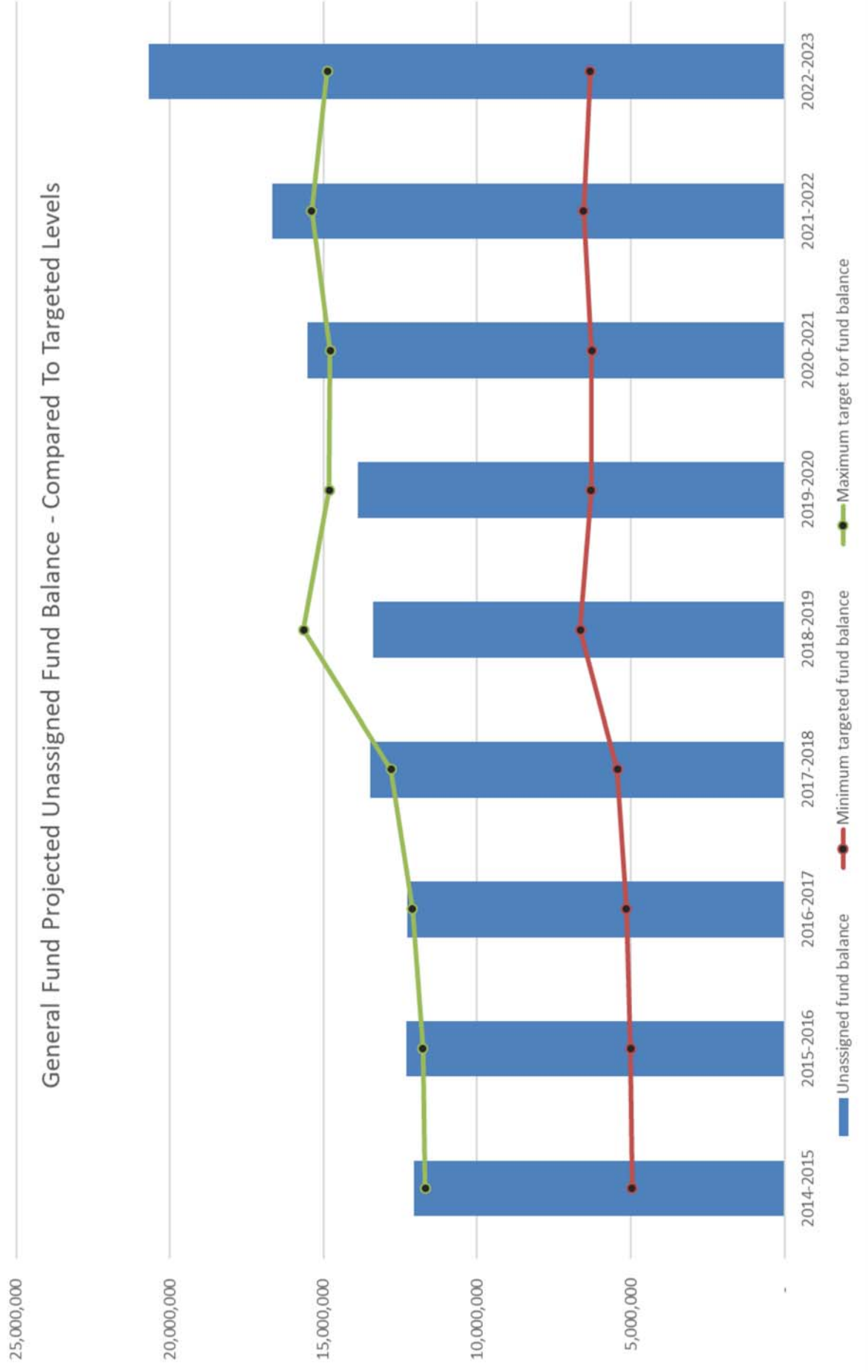
See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

# General Fund - Fund Balance

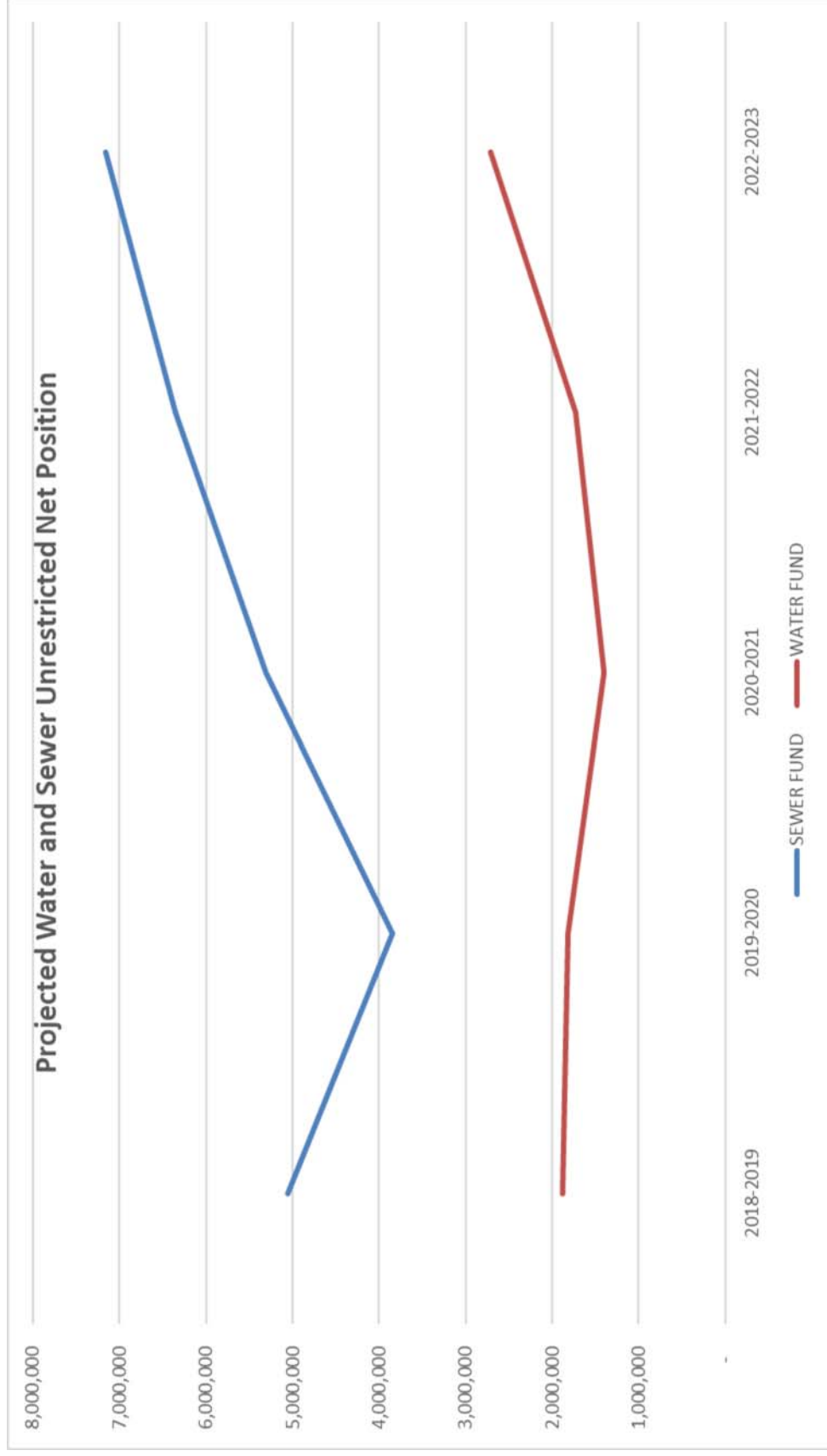


See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

General Fund Projected Unassigned Fund Balance - Compared To Targeted Levels



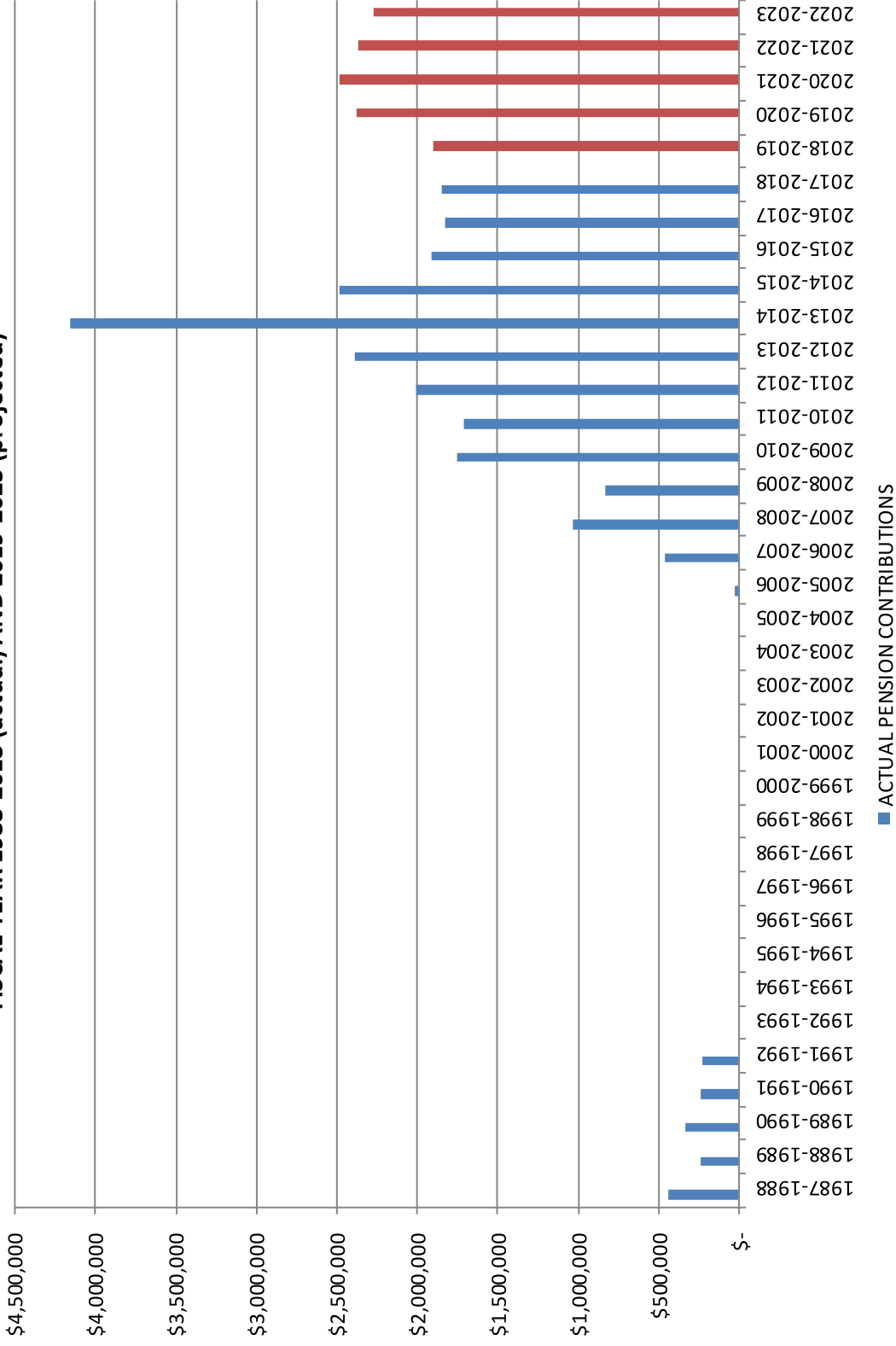
See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.



See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

# CITY PENSION CONTRIBUTIONS

FISCAL YEAR 1988-2018 (actual) AND 2019-2023 (projected)

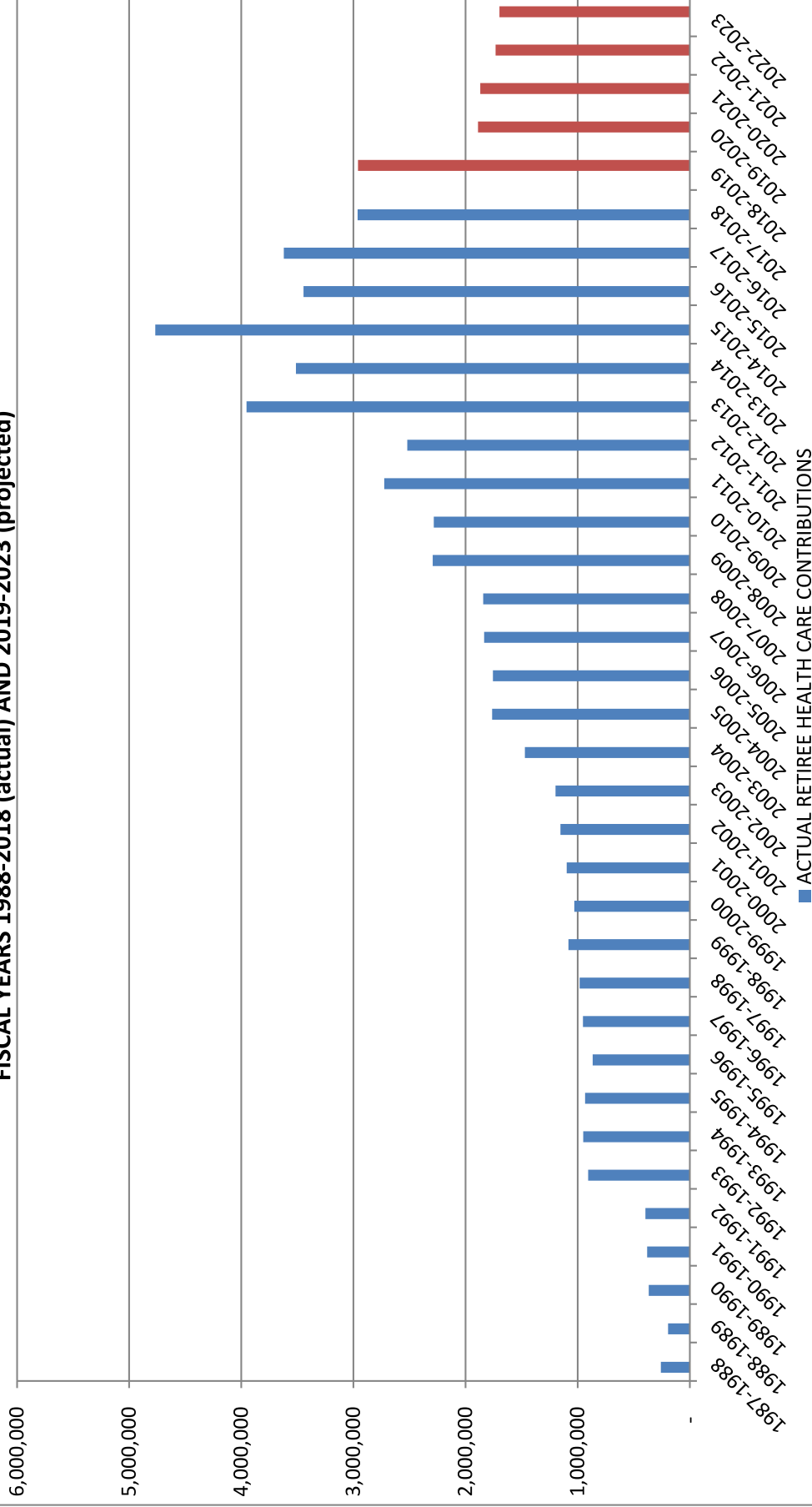


Fiscal Year 2013-2014 included an extra \$1,294,000 contribution

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

# CITY RETIREE HEALTH CARE CONTRIBUTIONS

FISCAL YEARS 1988-2018 (actual) AND 2019-2023 (projected)



CITY MADE ADDITIONAL CONTRIBUTIONS OF \$450,000 IN 2009, \$300,000 IN

See accompanying summaries of significant assumptions and accounting policies and independent accountant's report.

# Parks and Recreation Improvement Funding Update

Long Range Planning Session

January 26, 2019



# June 2018

- At the June 4, 2018 City Commission Meeting a resolution was made directing the Parks and Recreation Board to review the 2018 Parks and Recreation Master Plan's 5 year capital and work with city staff to identify facility needs related to the Parks and Recreation operation through a public engagement process to identify a priority list of projects and associated amounts to be considered for a potential parks bond to be implemented over the next 3 to 5 years, and further, to return to the City Commission with a recommendation for consideration.



# Parks and Recreation Master Plan Sub-Committee

- Sub-committee was set up to meet regularly to focus on this task and report monthly to the Parks and Recreation Board. 1<sup>st</sup> meeting held August 2018
- Sub-committee identified categories from the 2018 Parks and Recreation Master Plan for 10 potential Park Improvement projects and associated estimated costs.

# Parks and Facilities Needs

- Adams Park Development: \$ 700,000
  - Implementation of Park Concept Plan in its entirety
- Poppleton Park Playground: \$680,000
  - Inclusive Playground with sidewalks leading up to and around playground, and poured in place (PIP) accessible surfacing
- Kenning Park: \$1.2 million
  - Inclusive Playground with sidewalks leading up to and around playground
  - Ballfield development
  - Walking paths to connect playground with ballfields

# Parks and Facilities Needs

- City-wide Playgrounds: \$1.9 million
  - Update Outdated and Aging Equipment-
  - Considerations for Inclusive Needs
    - Crestview
    - Howarth
    - Lincoln Well
    - Pembroke
    - Springdale
    - St. James

# Parks and Facilities Needs

- Splash Pad: \$500,000
- Booth Park Phase III-Corner Feature: \$250,000
  - Entry Plaza with seating, gardens
- Rouge River Trail Corridor: \$1 million
  - New trail entry plaza/ Trailheads
  - Signage/Connectivity
  - Connect Willits to Maple
    - New stone steps, accessible pathway to overlook, benches, retaining walls, plant material, stream bank stabilization for increased resiliency

# Parks and Facilities Needs

- Ice Arena: \$5.1 Million
  - New refrigeration system infrastructure
  - Locker room expansion/facility upgrades
- Golf Courses: \$525,000
  - New irrigation at Springdale
  - New cart paths at Springdale
- New Pickleball Court: \$150,000

## **Total Estimated Improvement Costs:**

**\$12,005,000**

## **Potential Funding Sources:**

- Grants
- Donations
- Public/Private Partnerships
- **Parks & Recreation Bonds**

# February 5, 2019

## Public Input Session

- Parks and Recreation Board Meeting
- Pick your Park Passion!
- Sub-committee will gather info from the Feb. 2019 public input session, online Survey and feedback/input received during the 2018 Master Plan process

# NEXT STEPS

- Master Plan Sub-committee will present a recommendation to the Parks and Recreation Board at the March 5, 2019 meeting.
- Parks and Recreation Board will make a recommendation to the City Commission for consideration.



# AquaHawk Update

Long Range Planning  
January 26, 2019



# AquaHawk ALERTING!

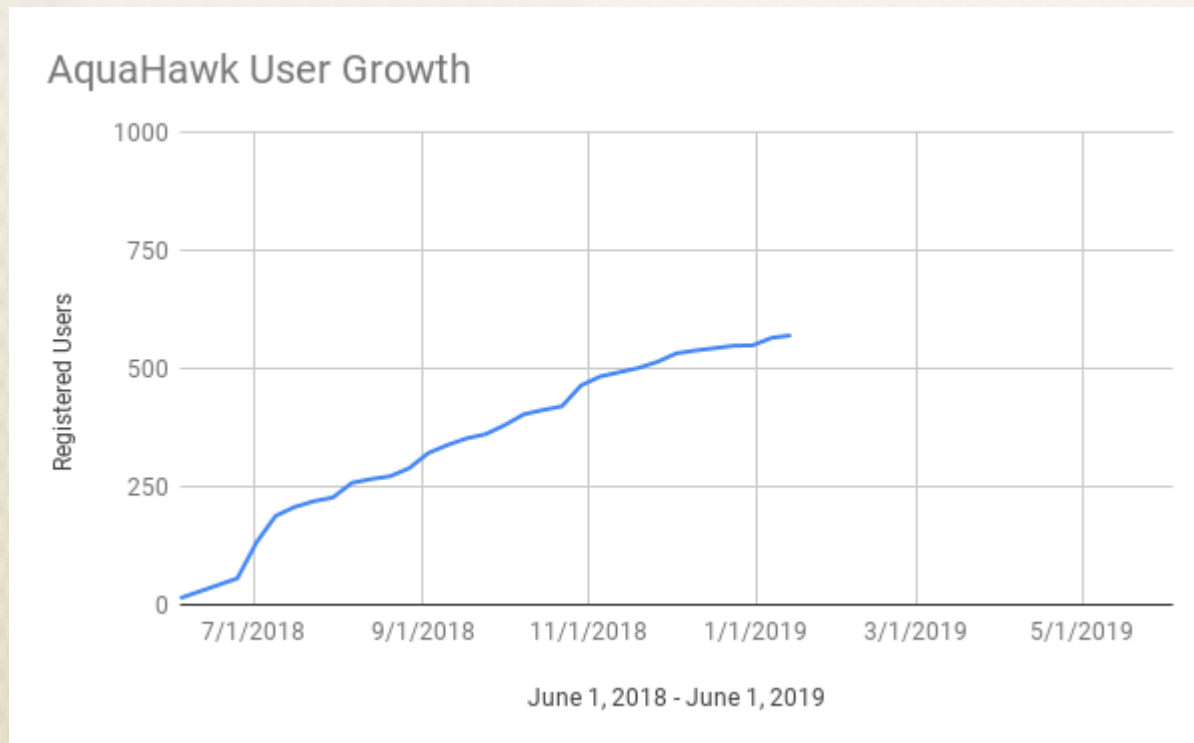
An online, user-friendly, customer portal that puts water usage and billing information at the residents' fingertips.

- ❖ Create/view usage reports
- ❖ Estimate bills
- ❖ Set personalized alerts
  - Bill
  - Consumption
- ❖ Sent via:
  - Text
  - Email
  - Mail
  - Telephone



# By the Numbers

- ❖ Public Launch -> June 1, 2018
- ❖ Year 1 Goal -> 1000 Registered Users
- ❖ Current -> 570



# Publicity Efforts

- **E-Newsletter**
  - July 2018
  - August 2018
  - September 2018
- **Print Newsletter**
  - Fall 2018/Winter 2019
  - Summer 2018
- **Social Media**
  - Twitter
  - Facebook
- **Bill Inserts**
  - June-October 2018
- **Business Cards**
- **Other Media**
  - Patch.com
  - Oakland County Times
  - MML Website
  - C and G News
  - Inside City Hall

**Water leaks are expensive. AquaHawk isn't.**

**Don't let a surprise water bill bust your budget.**

**Monitor, Alert & Save**  
with  
**AquaHawk**  
**ALERTING!**  
**free for Birmingham residents!**



## AquaHawk tracks water usage for Birmingham residents

By: Tiffany Esshaki | Birmingham - Bloomfield Eagle | Published June 12, 2018

BIRMINGHAM — There's few worse than opening a water bill and wondering how on earth the tab was able to climb that high.

That's a thing of the past, though, for Birmingham residents now that the city is offering a new online tool to help track water usage.

The program, called AquaHawk, is free to use and allows participants



**NEW - View Water Consumption and Bill Information Online!**

**It's Free!**

Access to detailed water account information is only a click away!

Let AquaHawk help you manage your water utility expenses - it's fast, easy, and FREE!

**To Register Visit:**  
<https://birmmi.aquahawk.us>

Look for the AQUAHAWK PIN on Your Water Bill

**Manage water expenses.**  
View projected bill totals and set custom text, phone & email alerts.

**Monitor your water usage.**  
Navigate easy-to-interpret graphic data of current and historical usage.

**Learn ways to save.**  
See how small habit changes can make a big difference.

# Questions?



**Department of Public Services**

# Maple and Eton Bridge Update

Long Range Planning Session

January 26, 2019



# CN Railroad

- Owner of the Bridge.
- City Staff met with CN Representatives **September of 2018**- Public Works group and Bridge Group. These 2 groups oversee over 2,000 bridges throughout 4 States.
- At the time of our meeting, they did not have plans for work at this location.
- Findings from our meeting: CN must do the maintenance repairs and painting portion of the work- they will not allow it to be hired out. Preliminary (verbal) estimate for CN to perform this work is at the earliest summer 2019. It is anticipated that the project will take 30 work days for CN to complete their portion of the work.
- Other improvements such as the addition of lighting and sidewalk repairs may be performed by the City and require a Right of Entry permit through CN.

# Quote from CN

- Estimate received from CN January 18, 2019 for painting and rehab work.
- 4-person crew for 30 days = ~ \$96,000.00  
Estimate includes:
  - Repair mortar patch approximately 200 divots and chipped concrete
  - Prime and paint the entire bridge except for the ceiling
  - Rental of an aerial lift
  - All labor and supplies to perform the above
- Work does not include: utility work (lighting), sidewalk repair, or the cost of the lane closures needed to safely do the work.
- Work can and will be stopped at any time due to emergencies that may arise within the railroad.



# Next Steps:

- CN Performs Aesthetic (only) Improvements (Summer 2019).
- City applies for a Right of Entry (ROE) permit with CN for:
  - Lighting
  - Sidewalk Removal and Replacement
  - Mural
- Engineering to include Sidewalk Work with Sidewalk Replacement Program.

# Questions?



# Cape Seal Street Maintenance

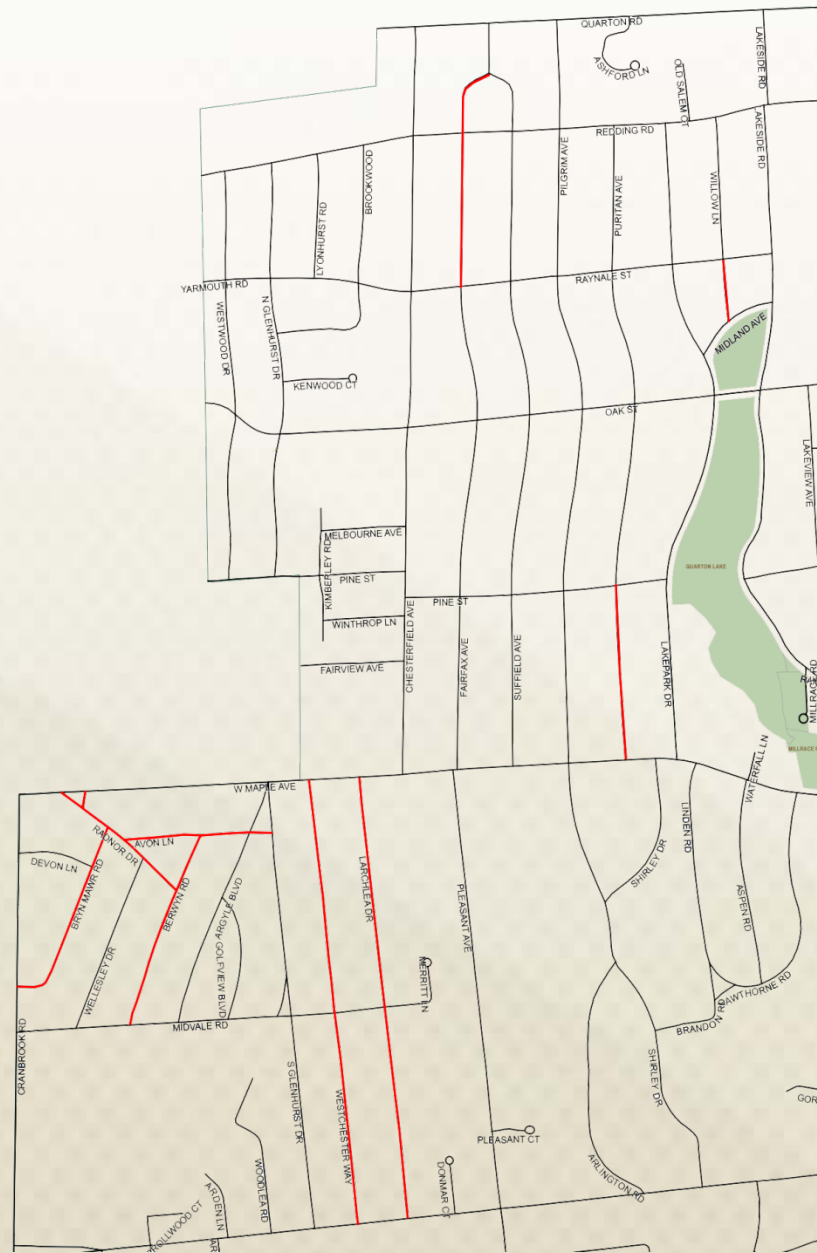
Long Range Planning Session

January 26, 2019



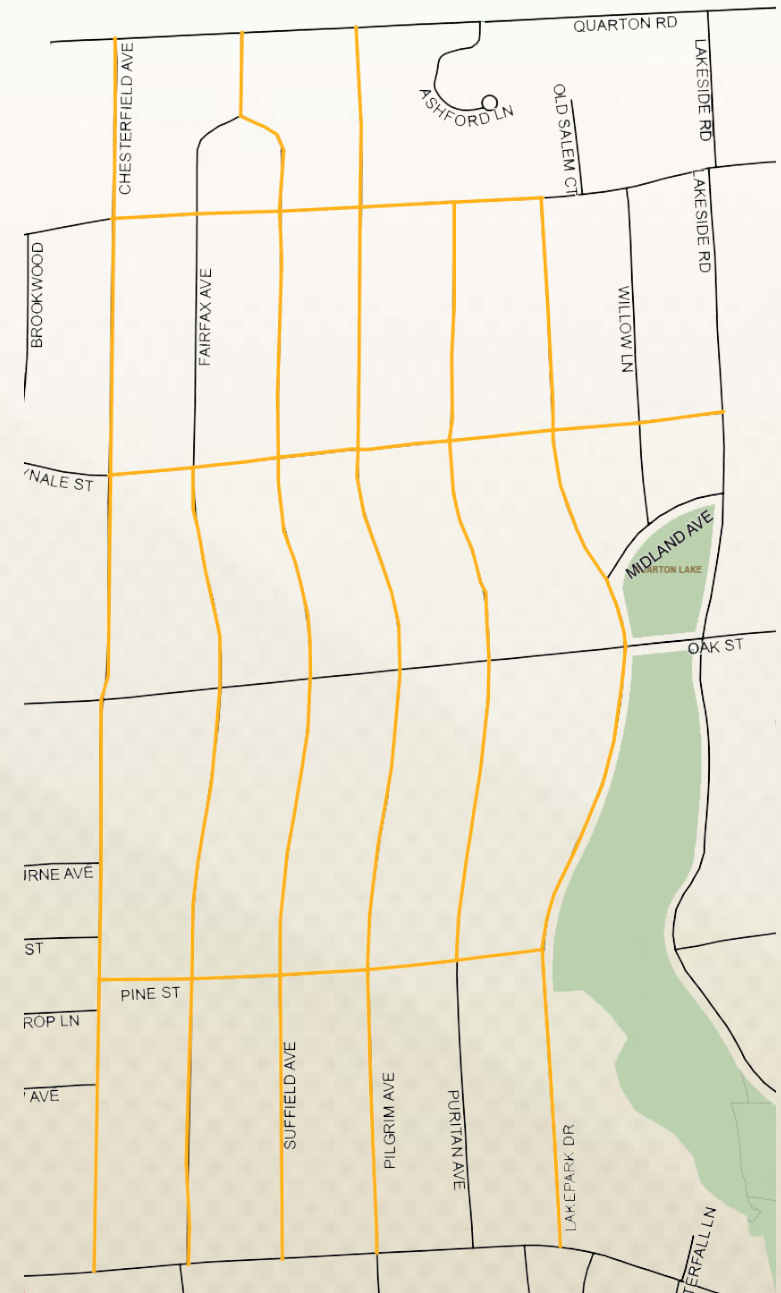
# Review: October 2017

- 33,000 square yards
- 2.5 miles
- Average per-foot cost: \$13.16
- Average assessment: \$932
- Larchlea
- Westchester
- Berwyn
- Radnor
- Avon
- Bryn Mawr
- Fairfax
- Puritan
- Willow Lane



# Review: July 2018

- 72,000 square yards
  - 5.8 miles
  - Chesterfield
  - Fairfax
  - Suffield
  - Pilgrim
  - Puritan
  - Lakepark
  - Pine
  - Raynale
  - Redding
- 
- Average per-foot cost: \$10.64
  - Average assessment: \$770
- 
- Fall 2017 + Summer 2018 projects = nearly 1/3 of unimproved streets

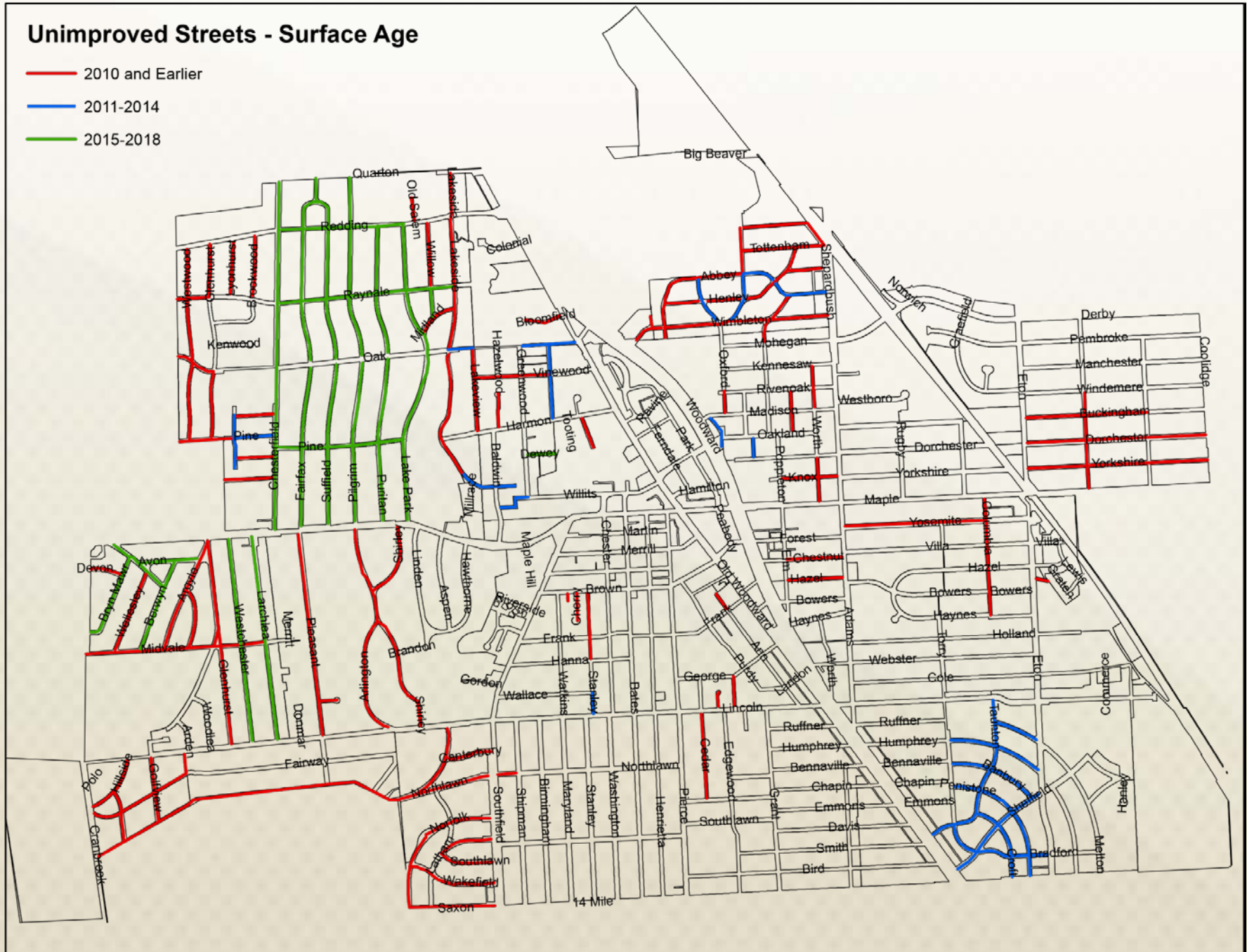


# Unimproved Streets - Surface Age






2010 and Earlier

2011-2014

2015-2018



## **Next Steps: FY 19-20 & 20-21**

-  **Evaluate Streets**
-  **Earmark Funds in Budget for Potential Projects**
-  **Await Ad-Hoc USSC Report/Recommendations**
-  **Determine Project Necessity/Scope**
-  **Proceed with Project(s)**



# Questions?







## MEMORANDUM

Office of the City Manager

**DATE:** January 26, 2019

**TO:** Joseph A. Valentine, City Manager

**FROM:** Tiffany J. Gunter, Assistant City Manager

**SUBJECT:** Ad Hoc Unimproved Streets Committee Update – Long Range Planning

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### INTRODUCTION:

The Ad Hoc Unimproved Streets Committee held its first meeting in June 2018. The Committee is tasked with:

1. Reviewing and evaluating the types of roads in the City while considering road durability, maintenance cycles, drainage, rights-of-way usage, traffic speeds, and parking.
2. Reviewing current policies and procedures relative to both the special assessment process, as well as various road construction and maintenance procedures.
3. Reviewing various neighborhood conditions, such as percentage of improved vs. unimproved streets, as well as various pavement conditions.
4. Reviewing cost and budget implications as various revised policies are considered, and developing strategic funding alternatives.
5. Developing recommendations to the City Commission for an updated policy.

The Committee, since the first meeting in June, has worked to develop a common understanding of the history of unimproved roads in the City, the City Charter and ordinance as it relates to unimproved streets, special assessment districts, pavement types and their associated life cycles, the cape seal program, and road funding over the first several months. Once the Committee education phase was completed, the members began to explore what potential options existed for road paving options, project initiation processes, and funding considerations.

Staff is currently working to respond to the request of the Committee to explore future funding scenarios for a potentially more robust program to improve the unimproved roads in the City.

To do so, staff had to complete the development of the 5-year capital needs program for roads. This information fed into the development of the five-year financial forecast for the City overall. This forecast data provides the Committee with a model to explore possible funding scenarios.

The work completed, to date, will allow the Committee to answer fundamental questions concerning impacts to the general fund if no other funding mechanisms were available as well as key timing issues.

The model being developed can be built upon with other potential funding options as the Committee continues to work toward recommendations for the Unimproved Streets program. Staff is nearing completion of this task and expects to meet with the Committee in the coming weeks.

**DATE:** January 17, 2019

**TO:** Joseph A. Valentine, City Manager

**FROM:** Jana L. Ecker, Planning Director

**SUBJECT:** Comprehensive Master Plan Update

---

**INTRODUCTION:**

Master plans are the official statement of a local government's legislative body's vision for future development and conservation. These documents set goals and guide decision making on land use, development standards, transportation, housing, community facilities and more. On a functional level a master plan is a roadmap for the development and refinement of the City's present and future needs. The master plan is the documentation of an approach to physical issues which will help the City achieve its goals. Because those goals can and will change over time, the master plan should be re-evaluated and updated on a regular basis.

**BACKGROUND:**

The City of Birmingham has a history of implementing master plans and ordinances that are intended to guide and regulate the growth of the City in order to promote the type of development that the citizens and property owners value. Currently, the development of the City's planning and zoning regulations are principally governed by six documents which are currently available on the City website:

- The Birmingham Future Land Use Plan (1980);
- The Downtown Birmingham 2016 Plan (1996);
- The Eton Road Corridor Plan (1999);
- The Triangle District Plan (2007);
- The Alleys and Passages Plan (2012); and
- The Multi-Modal Transportation Plan (2013).

The Birmingham Future Land Use Plan ("the FLUP") was the last comprehensive master plan to be adopted by the City (1980). The FLUP made specific recommendations throughout the City that are intended to protect residential areas while at the same time made recommendations that would allow the commercial areas to thrive. Since the adoption of the FLUP, the City has updated the master plan through the additional subarea plans listed above. Those plans have been implemented through the three overlay zones (Downtown, Triangle and Via Activation) and the rezoning of the rail district to MX (Mixed Used). The Multi-Modal Transportation Plan adopted in 2013 is now the guiding document for the City in regards to transportation infrastructure, major right of way improvements, and user accessibility issues. The cumulative effect of all the sub area plans has essentially updated the Future Land Use Plan in almost all of the commercially zoned areas of Birmingham.

The updating and implementation of master plans and subarea plans are important aspects of maintaining and improving the standard of excellence that is expected in Birmingham. Although the subarea plans listed above have been established in the City over the past twenty years, there has not been a comprehensive Master Plan update completed since the 1980 Future Land Use Plan. There are several components of the FLUP that included demographic data and projections that were based on a twenty-year time frame (1980-2000). In addition, many of the land use policies and system analyses may be considered outdated now considering the advancements in technology and changes in lifestyle habits. Accordingly, much of the information provided in the FLUP was intended to be projections up to the year 2000, and is thus in need of updating.

At this time the City has embarked on a comprehensive update of the 1980 Birmingham Future Land Use Plan, and the formal inclusion of each of the subarea plans into an updated comprehensive master plan ("the Plan"). While some portions of the Birmingham FLUP may continue to be relevant today, specific areas that need to be updated include:

- Community vision and planning objectives;
- Update of Population section to include current demographic data, future projections and analysis;
- Update of Regional and Surrounding Development section to include current and projected demographic data (residential, retail, office, mix of land uses) and analysis of the region, regional and downtown development trends and regional collaboration efforts;
- Update of Residential Housing section to include neighborhood vision in residential areas, analysis of changes in residential patterns and residential areas from 1980 to now, typology and character of neighborhoods, development trends, future projections and future direction;
- The physical characteristics of neighborhoods should be identified and documented including historic attributes, landscape conditions, housing type and the period of construction for each area;
- Review and update of Transportation section to include current vehicular, pedestrian and bicycle data, recent and currently budgeted infrastructure improvements, current multi-modal trends, regional transportation projects, and future recommendations based on regional and national best practices;
- Update and review of existing land use, updated recommendations for future land uses and an updated future land use map including the area of Woodward between 14 Mile Rd. and Lincoln, known as the S. Woodward gateway;
- Parking analysis and recommendations for both public and private parking regulations throughout the entire City including consideration of parking requirements, public parking needs, residential parking permitting requirements, accessible parking needs, potential for shared parking and emerging and innovative technologies;
- Review and update of the Policies section to encourage the implementation of the City's vision, current goals, best practices, current technological advances, and innovative policies.

On October 29, 2018 the City Commission voted to hire the renowned planning and design consulting firm DPZ CoDesign, led by Andres Duany, which prepared the Downtown 2016 Plan adopted in 1996.

Over the past several months City Staff has been working with DPZ CoDesign to prepare for the project kickoff. All relevant master planning documents, studies and GIS data has been provided to DPZ. In addition, the Planning Staff has prepared a detailed outline of all the Planning related issues that the City has been addressing over the past several years. This document is intended to provide DPZ with a comprehensive overview of recent efforts and achievements as well as ongoing efforts that influenced the scope of work that was developed for the Master plan effort. By providing background information in advance of the start of the process staff hopes to create a base of knowledge regarding the current state of affairs in Birmingham that will allow the consultants to hit the ground running.

The master plan update process will kick off in January 2019 and continue for approximately eighteen months. In the coming months phase one of the master plan update will begin. Phase one includes project initiation, data collection and analysis, and community engagement. Phase two is currently scheduled to begin in May of this year which will predominately be comprised of public engagement activities, including a multi-day charrette, and will culminate with a first draft of the new plan. Phase three is proposed to begin in the late fall of this year. That phase is the presentation of the second draft, which is considered the 80% completion point. The fourth and final phase of the project is scheduled for March-June of 2020. Phase four includes the final draft of the master plan as well as final presentations, public hearings and adoption of the plan. The tentative master plan update schedule has been included for your review. Throughout the process there will be extensive opportunities for the public to participate and provide input through public visioning sessions, a smart phone application, the City's website, surveys, interviews and public meetings.

**ATTACHMENTS:**

- RFP
- Schedule
- Hot Topics memo



## REQUEST FOR PROPOSALS FOR MASTER PLAN UPDATE

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Sealed proposals endorsed **"MASTER PLAN UPDATE"**, will be received at the Office of the City Clerk, 151 Martin Street, PO Box 3001, Birmingham, Michigan, 48012; until **June 1, 2018 at 3:00pm** after which time bids will be publicly opened and read.

The City of Birmingham, Michigan is accepting sealed bid proposals from qualified professional firms to conduct a comprehensive master plan update. This work must be performed as specified in accordance with the specifications contained in the Request For Proposals (RFP).

The RFP, including the Specifications, may be obtained online from the Michigan Inter-governmental Trade Network at <http://www.mitn.info> or at the City of Birmingham, 151 Martin St., Birmingham, Michigan, ATTENTION: Jana L. Ecker, Planning Director.

The acceptance of any proposal made pursuant to this invitation shall not be binding upon the City until an agreement has been executed.

<b>Submitted to MITN:</b>	April 11, 2018
<b>Deadline for Submissions:</b>	June 1, 2018 at 3:00pm
<b>Contact Person:</b>	Jana L. Ecker, Planning Director P.O. Box 3001, 151 Martin Street Birmingham, MI 48012-3001 Phone: 248-530-1841 Email: <a href="mailto:jecker@bhamgov.org">jecker@bhamgov.org</a>



## REQUEST FOR PROPOSALS FOR MASTER PLAN UPDATE

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### Contents

<a href="#"><u>INTRODUCTION</u></a> .....	3
<a href="#"><u>SCOPE OF WORK</u></a> .....	5
<a href="#"><u>INVITATION TO SUBMIT A PROPOSAL</u></a> .....	8
<a href="#"><u>INSTRUCTIONS TO BIDDERS</u></a> .....	9
<a href="#"><u>EVALUATION PROCEDURE AND CRITERIA</u></a> .....	10
<a href="#"><u>TERMS AND CONDITIONS</u></a> .....	10
<a href="#"><u>CONTRACTOR'S RESPONSIBILITIES</u></a> .....	11
<a href="#"><u>CITY RESPONSIBILITY</u></a> .....	12
<a href="#"><u>SETTLEMENT OF DISPUTES</u></a> .....	12
<a href="#"><u>INSURANCE</u></a> .....	12
<a href="#"><u>CONTINUATION OF COVERAGE</u></a> .....	122
<a href="#"><u>EXECUTION OF CONTRACT</u></a> .....	13
<a href="#"><u>INDEMNIFICATION</u></a> .....	13
<a href="#"><u>CONFLICT OF INTEREST</u></a> .....	13
<a href="#"><u>EXAMINATION OF PROPOSAL MATERIALS</u></a> .....	13
<a href="#"><u>PROJECT TIMELINE</u></a> .....	133
<a href="#"><u>ATTACHMENT A - AGREEMENT</u></a> .....	14
<a href="#"><u>ATTACHMENT B - BIDDER'S AGREEMENT</u></a> .....	20
<a href="#"><u>ATTACHMENT C - COST PROPOSAL</u></a> .....	21
<a href="#"><u>ATTACHMENT D - IRAN SANCTIONS ACT VENDOR CERTIFICATION FORM</u></a> .....	22

## **INTRODUCTION**

For purposes of this request for proposals the City of Birmingham will hereby be referred to as "City" and the private consulting firm or firms will hereby be referred to as "Contractor."

The City of Birmingham, Michigan is seeking a comprehensive update of the City-wide master plan, and is accepting sealed bid proposals from qualified professional planning firms who have experience drafting comprehensive master plan updates. Qualified Contractors must demonstrate experience in conducting strategic visioning sessions, encouraging public participation, community consensus building, demographic and land use analysis, parking analysis, planning best practices, and have a strong background working in traditional, walkable communities.

During the evaluation process, the City reserves the right where it may serve the City's best interest to request additional information or clarification from proposers, or to allow corrections of errors or omissions. At the discretion of the City, firms submitting proposals may be requested to make oral presentations as part of the evaluation.

It is anticipated the selection of a firm will be completed by August 1, 2018. An Agreement for services will be required with the selected Contractor. A copy of the Agreement is contained herein as Attachment A. Contract services will commence upon execution of the service agreement by the City.

The purpose of this RFP is to request sealed bid proposals from qualified parties presenting their qualifications, capabilities and costs to provide a comprehensive update of the City-wide master plan. The City's current comprehensive master plan is entitled The Birmingham Plan, and was adopted in 1980. Since the adoption of the master plan, several sub-area plans have also been adopted for specific sections of the City:

- Downtown 2016 Plan (1996);
- Eton Road Corridor Plan (1999);
- Triangle District Plan (2007);
- Alleys and Passages Plan (2012); and
- Multi-modal Transportation Plan (2013);
- Parks and Recreation Master Plan (TBD)

Each of these sub-area plans continue to be relevant and have essentially acted as updates to the City's comprehensive master plan for portions of the City. The new comprehensive master plan should facilitate a collective utilization of the City's various districts coming together. In addition, the review document produced as a result of Andres Duanys' visit in 2014 should also be considered and incorporated into the development of a new comprehensive master plan.



At this time the City is seeking a comprehensive update of the 1980 Birmingham Plan, and the formal inclusion of each of the subarea plans into an updated comprehensive master plan ("the Plan"). Most of the plans noted above primarily address the City's commercial areas, and thus the updated master plan should provide a clear focus and priority on the City's residential areas which were last studied in the City's 1980 comprehensive master plan. While some portions of the Birmingham Plan may continue to be relevant today, specific areas that need to be updated include:

- Community vision and planning objectives;
- Update of Population section to include current demographic data, future projections and analysis;
- Update of Regional and Surrounding Development section to include current and projected demographic data (residential, retail, office, mix of land uses) and analysis of the region, regional and downtown development trends and regional collaboration efforts;
- Update of Residential Housing section to include neighborhood vision in residential areas, analysis of changes in residential patterns and residential areas from 1980 to now, typology and character of neighborhoods, development trends, future projections and future direction;
- The physical characteristics of neighborhoods should be identified and documented including historic attributes, landscape conditions, housing type and the period of construction for each area;
- Review and update of Transportation section to include current local vehicular, pedestrian and bicycle data, recent and currently budgeted infrastructure improvements, current multi-modal trends, regional transportation projects, and future recommendations based on regional and national best practices;
- Update and review of existing land use, updated recommendations for future land uses and an updated future land use map including the area of Woodward between 14 Mile Rd. and Lincoln, known as the S. Woodward gateway;
- Parking analysis and recommendations for both public and private parking regulations throughout the entire City including consideration of parking requirements, public parking needs, residential parking permitting requirements, accessible parking needs, potential for shared parking and emerging and innovative technologies;
- Review and update of the Policies section to encourage the implementation of the City's vision, current goals, best practices, current technological advances, and innovative policies.

This work must be performed as specified in accordance with the specifications outlined by the Scope of Work contained in this Request for Proposals (RFP). It is anticipated

that the master plan update will commence in August of 2018 and be completed by June of 2020.

### **PUBLIC PARTICIPATION**

Extensive public participation is vital to the success of the master plan update. During the master plan update process, the Contractor will solicit and garner the input of the public on the future vision for the City and build consensus to provide the basis for the overall direction of the master plan update. Extensive public input will also be encouraged throughout the entire master planning process, including specific discussions on residential areas, the downtown and commercial areas, and the transitional areas that connect these zones. The selected Contractor will be required to submit a detailed community engagement plan as a part of this RFP that allows for public input throughout the entire process from visioning to formal adoption of the Plan, utilizing contemporary technologies.

### **SCOPE OF WORK**

The selected Contractor will work with the public, City staff, the Planning Board, and the City Commission to review and update Birmingham's master plan. The Contractor will coordinate with City staff and the City Attorney to ensure compliance with all State and/or Federal laws related to a community master plan update. The scope of services is as follows:

1. **Comprehensive Community Engagement Plan.** Create a detailed and inclusive comprehensive Community Engagement Plan to encourage and facilitate ongoing public participation of all stakeholders in the master planning process, including workshops, charrettes, visioning process, surveys, walking tours and/or other such methods that have been demonstrated to stimulate public discourse to gather input from residents and business owners (property owners and retailers) for integration into the strategic vision for the residential neighborhoods and commercial areas within the Plan. This process is expected to include at a minimum, a multi-day workshop that provides substantial opportunities for various local stakeholders and residents to provide input to achieve consensus on the direction of the City moving forward and ongoing engagement with elected and appointed boards and commissions throughout the entire planning process.
2. **Updated Data Collection and Analysis.** Review and update all demographic, social, economic and market data and provide future projections and trends. Review and update existing land use and zoning patterns and evaluate future land uses (ie. zoning district boundaries, transitional zoning, lot consolidation etc.). Evaluate current trends and best practices in other dense, traditional, walkable communities to make policy recommendations for the future success of Birmingham.

3. **Infrastructure Analysis.** Review existing infrastructure, current construction practices, evaluate future needs and provide recommendations. Specific emphasis should be placed on transportation infrastructure, including analysis of existing vehicular, pedestrian, bicycle and transit facilities, current multi-modal trends, the formulation of recommendations based on future projections, best practices and the incorporation of Complete Streets principles and walkability priorities.
4. **Parking Analysis.** Review current parking regulations in effect in the City of Birmingham for both private and public property. Provide best practice analyses and recommendations for updating current parking regulations for both private developments and on street public parking in residential and commercial areas, including consideration of the following:
  1. A review of the Central Business District Parking Assessment District with regards to desired future land use, and the need to consider a restructuring of the Parking Assessment District to consider price variations for future expansion of buildings;
  2. A study of build-out capacity as it relates to parking needs and perceived parking issues Downtown;
  3. The potential need for a municipal parking system in the Triangle District and parking needs in the Rail District, with reference to recent analysis and recommendations;
  4. An analysis of the need for other public parking structures and locations along with ideas on financing strategies;
  5. A comprehensive review of the Zoning Ordinance parking regulations that apply outside of the Parking Assessment District;
  6. Analysis of the impact of ride sharing, autonomous vehicles and mass transit on future parking needs as it pertains to the Metro Detroit area;
  7. The need for a written standard relative to the maximum number of dining decks that can be installed in on street parking spaces per block or other defined distance;
  8. The need for demand pricing for parking that would create dynamic hourly rates depending on daily changes in demand both on the street and in the structures;
  9. Development of a policy for electric vehicle charging stations;
  10. Residential Permit parking and alternatives (City-wide);
  11. The need for restricted on-street parking between 2am-6am; and
  12. A review of options to transition public parking decks to other uses in the future if demand for parking declines.
5. **Attendance at Meetings.** The Contractor shall expect to attend the following meetings and base their fees accordingly:
  - A multi-day charrette as noted in subsection (1) above.

- One (1) meeting with the Planning Board to discuss process and finalize a schedule to meet the requirements of this RFP.
- Up to five (5) work sessions with City staff to discuss progress and recommendations.
- Two (2) progress report meetings with the City Commission during the master planning process.
- Up to three (3) work sessions/monthly meetings with the Planning Board to discuss updates to key segments of the Plan.
- One (1) public hearing for review of the final draft at the Planning Board.
- One (1) public hearing for review of the final draft at the City Commission.

The City reserves the right to reduce or increase the number of meetings depending on the progress of the project with an adjustment in the contract accordingly.

6. **Plan Preparation.** The Contractor will prepare a detailed progress report for review by the City Commission upon completion of 50% of the project, and another progress report for review by the City Commission upon completion of 75% of the project. The Contractor shall provide ongoing engagement with respective commissions and boards. The Contractor will prepare drafts of each key segment of the Plan for review by the Planning Board, and shall make changes as directed throughout the process. The Contractor will prepare one draft version of the Plan including updated census information, maps, charts, exhibits and graphics to create a vital and compelling statement of public policy. The Contractor will work with the public and the Planning Board to refine the draft Plan into a final draft for approval by the City Commission.
7. **Finalization and Adoption.** A draft of the updated Plan will be presented to the Planning Board for initial recommendation and to the City Commission for their concurrence. The Contractor will participate in the required public hearing(s) and prepare a completed final document with all necessary changes.

This outline is not necessarily all-inclusive and the Contractor shall include in the proposal any other tasks and services deemed necessary to satisfactorily complete the project.

### **DELIVERABLES**

The Contractor shall provide a detailed, master graphic format of the Plan that incorporates all sub-area plans and includes an extensive use of illustrations, photos, before and after examples, charts and tables that clearly depict the plan content, vision and implementation in the following formats upon adoption of the final version of the Plan:

1. One (1) reproducible PDF digital file and twenty (20) hard copies of the draft Plan at 50% completion of plan;
2. One (1) reproducible PDF digital file and twenty (20) hard copies of the draft Plan at 75% completion of plan;
3. One (1) reproducible PDF digital file and twenty (20) hard color copies of the completed plan;
4. One reproducible PDF digital file of the final Plan for publication on the web and social media; and
5. One page infographic outlining vision, goals and recommendations of the Plan.

All data, illustrations and projections created or compiled throughout the project shall become the sole property of the City of Birmingham.

### **TIME SCHEDULE AND COST PROPOSAL**

All proposals must include a proposed time schedule for completion of the project and a fixed price agreement with an associated fee schedule for extra meeting costs, should they be required. Reimbursable expenses will be billed at direct cost plus a 10% administrative charge. Normal reimbursable expenses including... associated with the project are to be included in the estimated fees as outlined in the proposal.

The Contractor shall perform all services outlined in this RFP in accordance with the requirements as defined and noted herein.

### **INVITATION TO SUBMIT A PROPOSAL**

Proposals shall be submitted no later than Friday **June 1, 2018 at 3:00pm** to:

City of Birmingham  
Attn: City Clerk  
151 Martin Street  
Birmingham, Michigan 48009

One (1) electronic copy and ten (10) hard copies of the proposal must be submitted. The proposal should be firmly sealed in an envelope, which shall be clearly marked on the outside, **"MASTER PLAN UPDATE"**. Any proposal received after the due date cannot be accepted and will be rejected and returned, unopened, to the proposer. Proposer may submit more than one proposal provided each proposal meets the functional requirements.

### **SUBMISSION REQUIREMENTS**

All proposals that wish to be considered must contain the following:

- (1) Cover Letter;
- (2) Outline of qualifications of the Contractor and of the key employees that will be involved in the project, including an organizational chart of the roles and

responsibilities of each team member, and references for the team leader(s). The project team should include each of the following skill sets:

- Urban design;
  - Multi-modal transportation;
  - Sustainability;
  - Urban planning;
  - Zoning and form-based code;
  - Architecture;
  - Physical design;
  - Landscape architecture;
  - Transportation engineering;
  - Parking expertise; and
  - National Charrette Institute certification and/or training.
- (3) Outline of Contractor(s) experience with the preparation of similar master plan updates, including references from at least two relevant communities where you have completed such plans. (Portions of sample plans prepared by the Contractor should be submitted with the proposal, up to a maximum of twenty-five (25) pages);
- (4) Outline presenting a description of the scope of work to be completed, broken down into the following separate components:
- (i) Community Engagement Plan;
  - (ii) Data collection and analysis;
  - (iii) Parking and infrastructure Analysis;
  - (iv) Preparation of draft plan;
  - (v) Presentation and Adoption;
- (5) Proposed time frame for completion of each component of the scope of work;
- (6) A statement of any additional services that you recommend, if any. Define hourly rates for additional services by discipline.
- (7) Bidders Agreement (Attachment B);
- (8) Cost Proposal (Attachment C); and
- (9) Iran Sanctions Act Vendor Certification (Attachment D).

#### INSTRUCTIONS TO BIDDERS

1. Any and all forms requesting information from the bidder must be completed on the attached forms contained herein (see Contractor's Responsibilities). If more than one bid is submitted, a separate bid proposal form must be used for each.
2. Any request for clarification of this RFP shall be made in writing and delivered to: Jana L. Ecker, Planning Director, 151 Martin Street, Birmingham, MI, or via email to [jecker@bhamgov.org](mailto:jecker@bhamgov.org). Such request for clarification shall be delivered, in writing, no later than 5 days prior to the deadline for

submissions. Email requests must contain in their subject line "Request for Clarification".

3. All proposals must be submitted following the RFP format as stated in this document and shall be subject to all requirements of this document including the instruction to respondents and general information sections. All proposals must be regular in every respect and no interlineations, excisions, or special conditions shall be made or included in the RFP format by the respondent.
4. The contract will be awarded by the City of Birmingham to the most responsive and responsible bidder and the contract will require the completion of the work pursuant to these documents.
5. Each respondent shall include in their proposal, in the format requested, the cost of performing the work. Municipalities are exempt from Michigan State Sales and Federal Excise taxes. Do not include such taxes in the proposal figure. The City will furnish the successful company with tax exemption information when requested.
6. Each respondent shall include in their proposal the following information: Firm name, address, city, state, zip code, telephone number, and fax number. The company shall also provide the name, address, telephone number and e-mail address of an individual in their organization to whom notices and inquiries by the City should be directed as part of their proposal.

#### EVALUATION PROCEDURE AND CRITERIA

The City will utilize a qualifications-based selection process in choosing a Contractor for the completion of this work. The evaluation panel will consist of City staff, board members, and/or any other person(s) designated by the City who will evaluate the proposals based on, but not limited to, the following criteria:

- Ability to provide services as outlined.
- Experience of the Contractor with similar projects.
- Professional qualification of key employees assigned to the project.
- Public Involvement Process.
- Content of Proposal.
- Cost of Services.
- Timeline and Schedule for Completion.
- References.

#### TERMS AND CONDITIONS

1. The City reserves the right to reject any or all proposals received, waive informalities, or accept any proposal, in whole or in part, it deems best. The City reserves the right to award the contract to the next most qualified Contractor if

the successful Contractor does not execute a contract within ten (10) days after the award of the proposal.

2. The City reserves the right to request clarification of information submitted and to request additional information of one or more Contractors.
3. The City reserves the right to terminate the contract at its discretion should it be determined that the services provided do not meet the specifications contained herein. The City may terminate this Agreement at any point in the process upon notice to Contractor sufficient to indicate the City's desire to do so. In the case of such a stoppage, the City agrees to pay Contractor for services rendered to the time of notice, subject to the contract maximum amount.
4. Any proposal may be withdrawn up until the date and time set above for the opening of the proposals. Any proposals not so withdrawn shall constitute an irrevocable offer, for a period of ninety (90) days, to provide the services set forth in the proposal.
5. The cost of preparing and submitting a proposal is the responsibility of the Contractor and shall not be chargeable in any manner to the City.
6. Payment will be made within thirty (30) days after invoice. Acceptance by the City is defined as authorization by the designated City representative to this project that all the criteria requested under the Scope of Work contained herein have been provided. Invoices are to be rendered each month following the date of execution of an Agreement with the City.
7. The Contractor will not exceed the timelines established for the completion of this project.
8. The successful bidder shall enter into and will execute the contract as set forth and attached as Attachment A.

#### CONTRACTOR'S RESPONSIBILITIES

Each bidder shall provide the following as part of their proposal:

1. Complete and sign all forms requested for completion within this RFP.
  - a. Bidder's Agreement (Attachment B)
  - b. Cost Proposal (Attachment C)
  - c. Iran Sanctions Act Vendor Certification Form (Attachment D)
  - d. Agreement (Attachment A – **only if selected by the City**).
2. Provide a description of completed projects that demonstrate the firm's ability to complete projects of similar scope, size, and purpose, and in a timely manner, and within budget.



3. Provide a written plan detailing the anticipated timeline for completion of the tasks set forth in the Scope of Work.
4. The Contractor will be responsible for any changes necessary for the plans to be approved by the City of Birmingham.
5. Provide a description of the firm, including resumes and professional qualifications of the principals involved in administering the project.
6. Provide a list of sub-contractors and their qualifications, if applicable.
7. Provide three (3) client references from past projects, include current phone numbers. At least two (2) of the client references should be for similar projects.
8. Provide a project timeline addressing each section within the Scope of Work and a description of the overall project approach. Include a statement that the Contractor will be available according to the proposed timeline.

#### CITY RESPONSIBILITY

The City will provide a designated representative to work with the Contractor to coordinate both the City's and Contractor's efforts and to review and approve any work performed by the Contractor.

#### SETTLEMENT OF DISPUTES

The successful bidder agrees to certain dispute resolution avenues/limitations. Please refer to paragraph 17 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

#### INSURANCE

The successful bidder is required to procure and maintain certain types of insurances. Please refer to paragraph 12 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

#### CONTINUATION OF COVERAGE

The Contractor also agrees to provide all insurance coverages as specified. Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the agreement, the City may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the contract amount. In obtaining such coverage, Birmingham shall have no obligation to procure the most cost effective coverage but may contract with any insurer for such coverage.

### EXECUTION OF CONTRACT

The bidder whose proposal is accepted shall be required to execute the contract and to furnish all insurance coverages as specified within ten (10) days after receiving notice of such acceptance. Any contract awarded pursuant to any bid shall not be binding upon the City until a written contract has been executed by both parties. Failure or refusal to execute the contract shall be considered an abandonment of all rights and interest in the award and the contract may be awarded to another. The successful bidder agrees to enter into and will execute the contract as set forth and attached as Attachment A.

### INDEMNIFICATION

The successful bidder agrees to indemnify the City and various associated persons. Please refer to paragraph 13 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

### CONFLICT OF INTEREST

The successful bidder is subject to certain conflict of interest requirements/restrictions. Please refer to paragraph 14 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

### EXAMINATION OF PROPOSAL MATERIALS

The submission of a proposal shall be deemed a representation and warranty by the Contractor that it has investigated all aspects of the RFP, that it is aware of the applicable facts pertaining to the RFP process and its procedures and requirements, and that it has read and understands the RFP. Statistical information which may be contained in the RFP or any addendum thereto is for informational purposes only.

### **PROJECT TIMELINE (MAXIMUM)**

Evaluate Respondents	June 2018
Interview Contractors	June-July 2018
Award Contract	July-August 2018
Project Kick Off Meeting	August 2018
50% Completion of draft Plan	August 2019
75% Completion of draft Plan	February 2020
Final Draft of Plan Completed	June 2020

The Contractor will not exceed the timelines established for the completion of this project. A shorter timeline is encouraged and preferred.

**ATTACHMENT A - AGREEMENT  
FOR MASTER PLAN UPDATE**

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This AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between CITY OF BIRMINGHAM, having its principal municipal office at 151 Martin Street, Birmingham, MI (hereinafter sometimes called "City"), and \_\_\_\_\_, Inc., having its principal office at \_\_\_\_\_ (hereinafter called "Contractor"), provides as follows:

**WITNESSETH:**

**WHEREAS**, the City has heretofore advertised for bids for the procurement and performance of services required to complete an update to the City-wide comprehensive master plan, and in connection therewith has prepared a request for sealed proposals ("RFP"), which includes certain instructions to bidders, specifications, terms and conditions.

**WHEREAS**, the Contractor has professional qualifications that meet the project requirements and has made a bid in accordance with such request for cost proposals to complete an update to the City-wide comprehensive master plan.

**NOW, THEREFORE**, for and in consideration of the respective agreements and undertakings herein contained, the parties agree as follows:

1. It is mutually agreed by and between the parties that the documents consisting of the Request for Proposal to complete an update to the City-wide comprehensive master plan and the Contractor's cost proposal dated \_\_\_\_\_, 2018 shall be incorporated herein by reference and shall become a part of this Agreement, and shall be binding upon both parties hereto. If any of the documents are in conflict with one another, this Agreement shall take precedence, then the RFP.
2. The City shall pay the Contractor for the performance of this Agreement in an amount not to exceed \_\_\_\_\_, as set forth in the Contractor's \_\_\_\_\_, 2018 cost proposal.
3. This Agreement shall commence upon execution by both parties, unless the City exercises its option to terminate the Agreement in accordance with the Request for Proposals.
4. The Contractor shall employ personnel of good moral character and fitness in performing all services under this Agreement.
5. The Contractor and the City agree that the Contractor is acting as an independent contractor with respect to the Contractor's role in providing services to the City pursuant to this Agreement, and as such, shall be liable for its own actions and neither the Contractor nor its employees shall be construed as employees of the

City. Nothing contained in this Agreement shall be construed to imply a joint venture or partnership and neither party, by virtue of this Agreement, shall have any right, power or authority to act or create any obligation, express or implied, on behalf of the other party, except as specifically outlined herein. Neither the City nor the Contractor shall be considered or construed to be the agent of the other, nor shall either have the right to bind the other in any manner whatsoever, except as specifically provided in this Agreement, and this Agreement shall not be construed as a contract of agency. The Contractor shall not be entitled or eligible to participate in any benefits or privileges given or extended by the City, or be deemed an employee of the City for purposes of federal or state withholding taxes, FICA taxes, unemployment, workers' compensation or any other employer contributions on behalf of the City.

6. The Contractor acknowledges that in performing services pursuant to this Agreement, certain confidential and/or proprietary information (including, but not limited to, internal organization, methodology, personnel and financial information, etc.) may become involved. The Contractor recognizes that unauthorized exposure of such confidential or proprietary information could irreparably damage the City. Therefore, the Contractor agrees to use reasonable care to safeguard the confidential and proprietary information and to prevent the unauthorized use or disclosure thereof. The Contractor shall inform its employees of the confidential or proprietary nature of such information and shall limit access thereto to employees rendering services pursuant to this Agreement. The Contractor further agrees to use such confidential or proprietary information only for the purpose of performing services pursuant to this Agreement. The Contractor agrees that it will require all subcontractors to sign a Non-Disclosure Agreement satisfactory to the City Attorney.
7. This Agreement shall be governed by and performed, interpreted and enforced in accordance with the laws of the State of Michigan. The Contractor agrees to perform all services provided for in this Agreement in accordance with and in full compliance with all local, state and federal laws and regulations.
8. If any provision of this Agreement is declared invalid, illegal or unenforceable, such provision shall be severed from this Agreement and all other provisions shall remain in full force and effect.
9. This Agreement shall be binding upon the successors and assigns of the parties hereto, but no such assignment shall be made by the Contractor without the prior written consent of the City. Any attempt at assignment without prior written consent shall be void and of no effect.
10. The Contractor agrees that neither it nor its subcontractors will discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to

employment because of race, color, religion, national origin, age, sex, height, weight or marital status. The Contractor shall inform the City of all claims or suits asserted against it by the Contractor's employees who work pursuant to this Agreement. The Contractor shall provide the City with periodic status reports concerning all such claims or suits, at intervals established by the City.

11. The Contractor shall not commence work under this Agreement until it has, at its sole expense, obtained the insurance required under this paragraph. All coverages shall be with insurance companies licensed and admitted to do business in the State of Michigan. All coverages shall be with carriers acceptable to the City of Birmingham.
12. The Contractor shall maintain during the life of this Agreement the types of insurance coverage and minimum limits as set forth below:
  - A. Workers' Compensation Insurance: Contractor shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
  - B. Commercial General Liability Insurance: Contractor shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than **\$1,000,000** per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.
  - C. Motor Vehicle Liability: Contractor shall procure and maintain during the life of this Agreement Motor Vehicle Liability Insurance, including all applicable no-fault coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
  - D. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following shall be *Additional Insureds*. The City of Birmingham, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof. This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.

- E. Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance and Motor Vehicle Liability Insurance (and Professional Liability Insurance, if applicable), as described above, shall include an endorsement stating the following: "Thirty (30) days Advance Written Notice of Cancellation or Non-Renewal, shall be sent to: Finance Director, City of Birmingham, PO Box 3001, 151 Martin Street, Birmingham, MI 48012-3001.
- F. Proof of Insurance Coverage: Contractor shall provide the City of Birmingham, at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City of Birmingham, as listed below.
- 1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance;
  - 2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
  - 3) Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;
  - 4) Two (2) copies of Certificate of Insurance for Professional Liability Insurance;
  - 5) If so requested, Certified Copies of all policies mentioned above will be furnished.
- G. Coverage Expiration: If any of the above coverages expire during the term of this Agreement, Contractor shall deliver renewal certificates and/or policies to the City of Birmingham at least (10) days prior to the expiration date.
- H. Maintaining Insurance: Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the Agreement, the City of Birmingham may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the Agreement amount. In obtaining such coverage, the City of Birmingham shall have no obligation to procure the most cost-effective coverage but may contract with any insurer for such coverage.
13. To the fullest extent permitted by law, the Contractor and any entity or person for whom the Contractor is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City of Birmingham, its elected and appointed officials, employees and volunteers and others working on behalf of the City of Birmingham against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from and the City of Birmingham, its elected and appointed officials, employees, volunteers or others working on behalf of the City of Birmingham, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this Agreement. Such responsibility shall

not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the City of Birmingham.

14. If, after the effective date of this Agreement, any official of the City, or spouse, child, parent or in-law of such official or employee shall become directly or indirectly interested in this Agreement or the affairs of the Contractor, the City shall have the right to terminate this Agreement without further liability to the Contractor if the disqualification has not been removed within thirty (30) days after the City has given the Contractor notice of the disqualifying interest. Ownership of less than one percent (1%) of the stock or other equity interest in a corporation or partnership shall not be a disqualifying interest. Employment shall be a disqualifying interest.
15. If Contractor fails to perform its obligations hereunder, the City may take any and all remedial actions provided by the general specifications or otherwise permitted by law.
16. All notices required to be sent pursuant to this Agreement shall be mailed to the following addresses:

City of Birmingham  
Attn: Jana L. Ecker  
151 Martin Street  
Birmingham, MI 48009  
248-530-1841

CONTRACTOR

17. Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 48th District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds \$1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL§600.5001 et. seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court or the 48th District Court.
18. FAIR PROCUREMENT OPPORTUNITY: Procurement for the City of Birmingham will be handled in a manner providing fair opportunity for all businesses. This

will be accomplished without abrogation or sacrifice of quality and as determined to be in the best interest of the City of Birmingham.

**IN WITNESS WHEREOF, the said parties have caused this Agreement to be executed as of the date and year above written.**

WITNESSES:

**CONTRACTOR**

\_\_\_\_\_

By: \_\_\_\_\_

Its:

**CITY OF BIRMINGHAM**

\_\_\_\_\_

By: \_\_\_\_\_

Andrew Harris

Its: Mayor

\_\_\_\_\_

By: \_\_\_\_\_

Cherilynn Mynsberge

Its: City Clerk

Approved:

\_\_\_\_\_  
Jana L. Ecker, Planning Director  
(Approved as to substance)

\_\_\_\_\_  
Joseph A. Valentine City Manager  
(Approved as to substance)

\_\_\_\_\_  
Timothy J. Currier, City Attorney  
(Approved as to form)

\_\_\_\_\_  
Mark Gerber, Director of Finance  
(Approved as to financial obligation)



**ATTACHMENT B - BIDDER'S AGREEMENT  
FOR MASTER PLAN UPDATE**

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In submitting this proposal, as herein described, the Contractor agrees that:

1. They have carefully examined the specifications, terms and Agreement of the Request for Proposal and all other provisions of this document and understand the meaning, intent, and requirement of it.
2. They will enter into a written contract and furnish the item or items in the time specified in conformance with the specifications and conditions contained therein for the price quoted by the proponent on this proposal.

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**PREPARED BY  
(Print Name)**

---

**DATE**

---

**TITLE**

---

**DATE**

---

**AUTHORIZED SIGNATURE**

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**E-MAIL ADDRESS**

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**COMPANY**

---

**ADDRESS**

---

**PHONE**

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**NAME OF PARENT COMPANY**

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**PHONE**

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**ADDRESS**

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**ATTACHMENT C - COST PROPOSAL  
FOR MASTER PLAN UPDATE**

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**In order for the bid to be considered valid, this form must be completed in its entirety.** The cost for the Scope of Work as stated in the Request for Proposal documents shall be itemized as follows:

<b><u>Project Elements</u></b> <b>1. Comprehensive Community Engagement Plan</b> <b>2. Updated Data Collection and Analysis</b> <b>3. Infrastructure Analysis</b> <b>4. Parking Analysis</b> <b>5. Attendance at Meetings</b> <b>6. Plan Preparation</b> <b>7. Finalization and Adoption</b>	\$ \$ \$ \$ \$ \$ \$
<b>TOTAL AMOUNT</b>	\$
<b>Additional Meeting Charge</b>	\$ per meeting
<b>Additional Services Recommended (if any):</b>	\$ / hour \$ / hour \$ / hour \$ / hour \$ / hour \$ / hour \$ / hour

Firm Name\_\_\_\_\_

Authorized signature\_\_\_\_\_ Date\_\_\_\_\_

**ATTACHMENT D - IRAN SANCTIONS ACT VENDOR CERTIFICATION  
FORM  
FOR MASTER PLAN UPDATE**

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Pursuant to Michigan Law and the Iran Economic Sanction Act, 2012 PA 517 ("Act"), prior to the City accepting any bid or proposal, or entering into any contract for goods or services with any prospective Vendor, the Vendor must certify that it is not an "Iran Linked Business", as defined by the Act.

By completing this form, the Vendor certifies that it is not an "Iran Linked Business", as defined by the Act and is in full compliance with all provisions of the Act and is legally eligible to submit a bid for consideration by the City.

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**PREPARED BY  
(Print Name)**

**DATE**

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**TITLE**

**DATE**

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**AUTHORIZED SIGNATURE**

**E-MAIL ADDRESS**

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**COMPANY**

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**ADDRESS**

**PHONE**

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**NAME OF PARENT COMPANY**

**PHONE**

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**ADDRESS**

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**TAXPAYER I.D.#**

Birmingham Master Plan Update

TASKS	WORKING SESSIONS			TEAM INVOLVEMENT				PROJECT TIMELINE																	
	Steering Committee	Staff Committee	City Commission	DPZ	Gibbs	Jacobs	McKenna	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Phase One    Initiation, Assessment, and Analyses (January 2019 - May 2019)								Phase One																	
Task 1    Project Initiation	1 mtg.	1 mtg.		√	√	√	√																		
Task 2    Data Collection and Analyses - Background Materials and Existing Conditions	1 mtg.	1 mtg.		√	√	√	√																		
Task 3    Community Engagement and Public Review - Verifying the Issues	1 mtg.	1 mtg.		√			√																		
Task 4    Updating Observations and Finalizing Analyses			1 workshop	√	√	√	√																		
Task 5    Phase One Completion Progress Review		1 mtg.		√																					
Phase Two    First Draft Master Plan Update (May 2019 - October 2019)											Phase Two														
Task 6    Charrette - Master Plan Update	2 mtgs.	2 mtgs.	1 workshop	√			√																		
Task 7    Charrette - Specific Areas of Intervention				√			√																		
Task 8    First Draft Master Plan Update Report (60% Project Completion)/Phase Two Completion Progress Review		1 mtg.		√	√	√	√																		
Phase Three    Second Draft Master Plan Update (November 2019 - February 2020)																	Phase Three								
Task 9    Second Draft Master Plan Update Report (80% Project Completion)/Phase Three Completion Progress Review			1 hearing	√	√	√	√																		
Phase Four    Final Draft Master Plan Update, Public Hearings, and Adoption of Completed (Final) Master Plan Update (March 2020 - June 2020)																					Phase Four				
Task 10    Final Draft Master Plan Update Report				√	√	√	√																		
Task 11    Final Presentations/Public Hearings, Completed (Final) Master Plan Update, and Adoption				√			√																		

Project Management / Ongoing Tasks for all Phases

- Coordinate with Staff before meetings to determine roles and approach
- Follow up with Staff after meetings to clarify next steps
- Phone conversations, email communication, and briefings (as needed)

Clarifications

- Staff Committee: comprised of appropriate City Department Heads
- Steering Committee: comprised of stakeholders

Notes

- Specific deliverables are described in the Work Plan document
- Phase Three includes election week, Thanksgiving, Christmas, and New Years



## MEMORANDUM

Planning Division

**DATE:** January 11, 2019

**TO:** DPZ CoDesign Team Members

**FROM:** Nicholas J. Dupuis, Planning Intern

**APPROVED:** Jana Ecker, Planning Director

**SUBJECT:** Master Plan Update – Key Planning Issues

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Since the Downtown Birmingham 2016 Master Plan was written in 1996, the City has changed and grown dramatically. In recent years (2014 - Present), City growth and change has been directed through several plans, studies and strategies that should be reviewed before embarking upon the Master Plan Update. In addition, there have been several topics that have garnered significant discussion throughout various boards and commissions that are recently resolved, in progress, or remain unresolved at this time. Below are summaries of the topics that have received a lot of discussion in Birmingham planning over the past several years.

### **2015**

#### **Transitional Zoning**

The City developed Transitional Zoning to provide for a reasonable and orderly transition from, and buffer between commercial uses and predominantly single-family residential areas or for property which either has direct access to a major traffic road or is located between major traffic roads and predominantly single-family residential areas. Also, the City wished to develop a fully integrated, mixed-use, pedestrian-oriented environment between residential and commercial districts by providing for graduated uses from the less intense residential areas to the more intense commercial areas.

Three transitional zones were created, TZ1, TZ2, and TZ3 with varying standards. Several developments have been constructed through the rezoning of property into a transitional zone.

#### **D-5 Zone**

In order to renovate and expand the existing building, the owners of the 555 S. Old Woodward building requested a Zoning Ordinance amendment to create a new D-5: Downtown Gateway Over Five Stories zoning classification in the Downtown Birmingham Overlay District. The proposal was to seek rezoning of the 555 S. Old Woodward properties from the existing D-4 Overlay zoning classification to the proposed D-5 Overlay zoning classification, which would

essentially render the existing building at 555 S. Old Woodward as a legal, conforming building that could then be renovated and expanded.

The Planning Board began discussing the applicant's proposal to create a new D-5: Downtown Gateway (Over Five Stories) zoning classification in the Downtown Birmingham Overlay District. Planning Board members discussed the desire to review the proposed amendment within the spirit, vision and context of the entire downtown, and not to create a new zoning classification around a specific building. The Planning Board did, however, recognize the importance of the 555 S. Old Woodward building and the need to allow renovations and additions to improve its presence at the south end of Downtown Birmingham.

Ultimately, three buildings were classified within the D-5 Zoning District: The 555, The Merrillwood, and the Birmingham Place. The parcels located in between the 555 and Birmingham Place are currently the subject of a rezoning request to D-5 that is ongoing.

### **Garage Front Houses**

While the Planning Division does not conduct site plan or design review for single-family zoned property in the City, the Planning Board in the late 1990's drafted basic design standards to ensure that the front of single-family homes provided an inviting and pedestrian-oriented façade and connection to the sidewalk and the neighborhood.

However, over the years, creative design plans had been submitted to the City and approved for single-family homes with attached, private garages that protrude in front of the principal residential building on the site. This has been accomplished by adding a small conditioned living space (such as an office, tool room, exercise room etc.) to the very front of the attached private garage facing the street, and / or building residential living space above the attached, private garages. Complaints had been received that these designs are a violation of the structure standards contained in section 4.70 of the Zoning Ordinance, or at the very least, are a violation of the intent of the structure standards contained in section 4.70 of the Zoning Ordinance.

The City Commission ultimately adopted ordinance language to amend section 4.70 to require garage doors facing a street to be setback 5' from the portion of the first floor front façade that is furthest setback from the front property line, and to limit the width of garages to less than 50% of the width of a principal residential building. The final language also increased the maximum width of street facing garage doors from 8' to 9'. In addition, section 4.59(A) was also amended to control the size and prominence of garages facing side streets on corner lots, by increasing the setback of attached garages to match the setback for detached garages and other accessory structures.

### **Window Standards**

Over the past several years the Planning Board has performed site plan reviews where the Planning Board expressed support for the proposed design but the applicant has been forced to pursue variances because they were not able to meet the window glazing standards contained in the Zoning Ordinance. The intent of the glazing requirements has been to activate the streets and public spaces of Birmingham by creating an interactive relationship between the pedestrians and the buildings in commercial areas.

The City Commission adopted ordinance amendments to apply the standard of measuring the percentage of glazing on a site used in the Downtown Overlay Zone to both the Triangle Overlay Zone and to the general development standards for the rest of the city. This requirement is to calculate the amount of glazing on a commercial property by measuring between 1 and 8 feet above grade.

The City also considered window tinting as a part of the review of glazing in which the City Commission approved ordinance amendments containing a new requirement for clear glazing (minimum Visible Light Transmittance of 80%) at the first floor façade and lightly tinted glazing (minimum Visible Light Transmittance of 70%) on upper floors.

## **2016**

### **Liquor Licenses for Theaters**

The Birmingham 8 Theater submitted a request for a Zoning Ordinance amendment that would permit the issuance of a liquor license for qualified theaters in Downtown Birmingham. The applicant requested an amendment to Chapter 10, Alcoholic Liquors, of the City Code to create a new Division 5 to establish a new category of liquor licenses for theaters in Downtown Birmingham.

As a response to the request of the applicant, the City Commission approved ordinance language and amendments to create a new division 5 in Chapter 10, Alcoholic Liquors for theater licenses. In addition, in order to permit the use of such theater licenses, zoning amendments were approved to allow the use of theater licenses, with a Special Land Use Permit, in the B4 (Business-Residential) zone district. Both the Birmingham 8 Theater and the Emagine Theater are located in the B4 zone district.

## **2017**

### **Personal Services Definition**

Over the past decade, there has been an ongoing desire by some City Boards and Commissions to review the current definition of retail to ensure that we are encouraging true retail downtown, and not allowing office and other service uses to dominate. The issue is specifically relevant in the Downtown Overlay, where retail use is required in the first 20' of depth for all buildings in the Redline Retail District.

As defined in Article 9, retail uses include the direct sale of products from the premises, but also include restaurants, entertainment and the purchase, sale or exchange of personal services (given the inclusion of personal services in the definition of commercial uses, which are included as retail uses). No definition for personal services was provided. Personal financial services, beauty services, banking services, real estate services, advertising services and other similar uses have been permitted within the Redline Retail District under the umbrella of personal services, provided that there was a display area for the sale or exchange of such goods and services in the first 20' of the storefront, and the storefront is open to the public during regular business hours. Concern was raised that this small display area 20' in depth is not sufficient to create an activated, pedestrian-friendly retail district.

The definitions for retail and commercial uses have thus permitted some uses that are not universally considered “true retail” as there are no physical goods for sale. In the past, both the Planning Board and the Birmingham Shopping District Board have expressed concern with the existing retail definition, and have considered alternative definitions to tighten the definition of retail to include only shops which sell products, not financial, real estate or other such personal services. On the other hand, many property owners in the past have expressed concerns about tightening up the definitions as they desire the flexibility to lease space to a wider range of users to avoid vacancies.

Thus the City Commission approved the following definition for Personal Services in November of 2017:

*Personal Services:* An establishment that is open to the general public and engaged primarily in providing services directly to individual consumers, including, but not limited to, personal care services, services for the care of apparel and other personal items, but not including business to business services, medical, dental and/or mental health services.

## **2018**

### **Liquor Licenses for Hotels**

In early 2018 a request for a Zoning Ordinance amendment that would allow the use of a liquor license at qualified hotels in Downtown Birmingham was submitted to the Planning Division. The request was for an amendment to Chapter 10, Alcoholic Liquors, Division 5. - Licenses for Theaters of the City Code to include allowing the use of liquor licenses at hotels in Downtown Birmingham.

The City Commission ultimately passed resolutions to amend Chapter 10, Alcoholic Liquors, Article II, Division 5, to allow hotels in Downtown Birmingham to qualify for liquor licenses when operating under a Special Land Use Permit similar to theaters in the B-4 Zoning District.

### **Alley Improvement**

During the Long Range Planning meeting of the City Commission in early 2018, City Staff discussed the issues surrounding alleys in the City including signage/wayfinding, dumpsters, parking and stormwater. The multitude of potential remedies to the issues outlined in the Long Range Planning meeting were proposed to be rolled out in a phased process over the coming years. The phases are planned as follows:

- **Phase 1: Signage/Wayfinding** – The Strategy for Alleys and Passages Plan for the City of Birmingham outlines signage/wayfinding as an activation strategy for the City’s network of alleys and passages. Signage/wayfinding plays an important role in keeping alleys walkable, safe and clean. A total of nine wayfinding signs have been purchased and installed as of October 2018.
- **Phase 2: Waste Receptacles** – The biggest target in the attempt to clean up alleys in Birmingham are waste receptacles (trash, recycling, grease and compost). This phase will focus on adding accountability to the owners/operators of waste receptacles in alleys and



passages. This will include required maintenance, registry with the City, and required informational stickers fixed to the receptacle. This phase is currently in process, and major ordinance amendments are expected in 2019.

- **Phase 3: Parking Control** – The Strategy for Alleys and Passages in Birmingham classified alleys and passages into 3 types: Active, Connecting, and Destination. Each classification allows for different levels of vehicular access. Further regulating vehicular access and parking in the City's alley and passage system will create less congestion for emergency, loading and trash vehicles. This future phase will also help in eliminating some of the negative externalities imposed by vehicles, such as littering, air pollution and noise pollution.
- **Phase 4: Paving and Storm Water Management** – An increasingly popular technique to increase walkability is the installment of permeable pavement to mitigate the effects of rainfall events and snow melt. Many cities have begun to focus their attention toward "greening" their alley systems to transform the miles and miles of wasted space into a functional member of their infrastructure networks. Requiring or incentivizing permeable pavement techniques in Birmingham is the main facet of this future phase.
- **Phase 5: Alley Width Standards** – Controlling and adapting the allowed width of alleys to the different classifications provides a number of benefits to the cleanliness of Birmingham's alley and passage system. Techniques such as adding landscaping, public art, or architectural details to the alley spaces can narrow alleys and help create a sense of place, which in turn creates a safe and clean space for pedestrians to utilize. Creating width standards and allowing expanded fields of use to reduce width will be included in this future phase.
- **Phase 6: Code Enforcement** – The final phase of the alley improvement plan is to step up the City's Code Enforcement capabilities. New language should be clear, and Code Enforcement officials should be able to write clear and appropriate citations when violations are present.

### **Residential Street Width Standards**

The City Commission asked the Multi-Modal Transportation Board (MMTB) to establish a City policy for determining the width of a new street. Accordingly, the MMTB identified goals for residential road width standards, and reviewed the national standards and best practices from professional organizations and peer cities. The board created standards and allowed for modifications if certain criteria are met.

The purpose of these standards is to provide consistent street widths throughout the city but with flexibility for very specific situations. The goals for identifying a standard road width for residential roads include the following:

- Functionality;
- Consistency with adjacent streets;
- Accident reduction and public safety;
- Adhering to Complete Streets principles;
  - Enhancing walkability;
- Character of community;
  - Block length;
  - Size of lots;
  - Building setback and lengths;
- Traffic calming;
- Expediency in planning and engineering;
- Infrastructure costs; and/or
- Storm water runoff management.

The standards were considered as a part of the 2019 Local Streets Paving Program, which targeted 4 local streets in need of repaving. Ultimately, due to strong public pushback, the City Commission voted to repave each street at their current widths, contrary to the new standards.

The City Manager has directed staff to review the criteria in the policy to be considered and propose revisions prior to the next application of the policy.

### **Bistro Regulations**

As the bistro concept has evolved over the past 10 years, new applicants sought creative ways to make the establishments distinctive from other restaurants and bistros in the City, and to increase the number of seats through the use of all season outdoor dining. The following issues were addressed:

- **Use of Eisenglass** – Extends the time period outdoor dining areas are in operation which increases the number of seats for the restaurant as a whole for a majority of the year. This is no longer permitted.
- **District Requirements** – The Downtown District, Triangle District, and Rail District have different opportunities which could merit different requirements for bistros locating within them. The City Commission decided to continue with standard universal requirements throughout the City.
- **On-street Dining/Rooftop Dining** – The use of on-street parking spaces and rooftops in addition to the sidewalk area allows the addition of larger outdoor dining areas. The City Commission has now established a maximum of 65 outdoor seats for all bistros.
- **Parking Needs** – The expansion of outdoor dining increases the number of people dining at the restaurant, which increases parking demand. No additional parking was required to continue to encourage outdoor dining.
- **Building Code Requirements** – The enclosure of outdoor dining areas triggers Building Code regulations such as Energy Code compliance, fire suppression requirements, fire separation distances and exterior wall fire resistive ratings. Outdoor dining may no longer be enclosed.

- **Incentivizing Seating Capacity Tiers** – Allowing an increased amount of indoor seating and/or outdoor dining seating for bistros based upon conditional standards such as shared parking, landscaping, greenspace, etcetera. As described above, the City Commission decided to maintain consistent standards across the board.

## **Bicycle Parking/Infrastructure**

In 2012, the City commission approved a Downtown Bicycle Parking Plan that consisted of three phases that called for the installation of 101 bike racks at 80 locations. More recently, the City Commission allocated \$15,000 for bicycle parking in the FY 17-18 budget. A total of roughly 154 bike racks have been installed throughout the City since 2012.

The Multi-Modal Transportation Plan recommends that the City provide active transportation hubs at key locations around town. The Plan defines active transportation hubs as “wayfinding kiosks that serve as orientation and resource centers for multi-modal trips.” Active transportation hubs assist people who are already walking and/or bicycling find community resources and introduce people to new walking and bicycling opportunities. Two of the recommended amenities were bicycle maintenance stations and air pumps. The Multi-Modal Transportation Plan recommended the placement of bicycle maintenance stations at Booth Park, Quarton Lake Park, in the Rail District and at City Hall. The City has now approved and installed four bicycle maintenance stations.

## **Parking Study**

The City is currently contracted with a firm to perform a parking study in which they will conduct an evaluation of current zoning code parking requirements for private development in the Central Business District, the Triangle District, and the Rail District. The study will provide an analysis of the current parking requirements effect on land use, density, size, location, and cost of development. The study will also provide a summary and analysis of current and future parking trends occurring or expected to occur in walkable urban communities of comparable size and character to Birmingham. Finally, specific recommendations will be provided for updating the City’s current parking regulations to provide development incentives, increase residential density, and encourage more affordable residential units in the above locations.

## **Moped Parking**

There are unused triangular spaces 100 square feet in size along Old Woodward in Downtown between the new bump-outs and the angled parking as a result of the S. Old Woodward reconstruction project. The City’s current policy is that no parking is allowed in these areas. It was also decided that no structures such as bike racks would be placed in these spaces in order to provide room for the street sweeper to get through.

The Planning Division was asked to examine these spaces as potential parking locations for mopeds. Current parking opportunities for motorcycles and mopeds are the 180 square foot spaces suited for automobiles which could be considered an inefficient use of space. Birmingham does not have a policy for a required size or dimension of moped spaces or motorcycles.

The City Commission approved the MMTB's recommendation to add moped parking in the unused space along S. Old Woodward with three 3'x6' spaces. The moped parking areas have not been installed as of yet, and are expected to be completed in 2019.

### **Ongoing Efforts**

#### **Complete Street Improvements**

Several complete street improvements have been implemented across the City since 2014. The following represent major complete street improvement projects that have been either completed, proposed, or are underway.

##### **Maple Road**

In 2015, the City Commission approved recommendations from the Multi-Modal Transportation Board to create a modified cross-section for W. Maple Rd. from east of Cranbrook Rd. to Southfield that includes a three lane configuration with two through lanes and one continuous left turn lane, no dedicated bike lanes were included. W. Maple remains as such today.

As an extension of the 2018 S. Old Woodward reconstruction project, the 2020 Maple Road reconstruction project (Phase 2 of the S. Old Woodward Reconstruction) will involve E. Maple from Woodward to Old Woodward, and W. Maple from Pierce to Chester. The Maple streetscape will be redone to include mid-block crossings, pedestrian bulb outs, enhanced greenery and parallel parking.

##### **Eton**

Over the past year, the Board has been studying potential improvements to the entire S. Eton Rd. corridor from Maple Rd. to 14 Mile Rd. Previous discussions at the Board level have resulted in a recommendation to the City Commission that includes:

- A pedestrian island at Maple Rd.
- Narrowing of S. Eton Rd. from Maple Rd. to Yosemite Blvd. to allow an improvement to the sidewalk on the west side of the street.
- Narrowing of S. Eton Rd. from Yosemite Blvd. to Villa Ave. to allow for wider sidewalks, as well as a green parkway with new street trees between the sidewalk and the road (on-street parking would be eliminated).
- Removal of parking on the southbound side of the street, from Villa Ave. to Lincoln Ave., and using this paved area to install a two-way bike path separated from vehicle traffic by the use of a raised buffer.

The latest development is the decision by the City Commission to apply for federal funding for the S. Eton Project involving matching grants. While the City raises funds, a temporary paint scheme will be applied to the corridor as a test for the full project.

N. Eton complete street improvements include painted bike lanes and signage, as well as pedestrian bulb outs and high visibility crosswalks.

## **S. Old Woodward**

The aforementioned S. Old Woodward reconstruction project (Phase 1) was completed in the fall of 2018. The reconstruction was aimed at improving the aging infrastructure underground, as well as enhancing the experience for visitor's downtown through sidewalk improvements, added greenspace, road improvements, and the addition of mid-block pedestrian crossings.

## **Retail Study**

After the City Commission adopted a new definition for personal services in relation to retail use, the City Manager directed the Planning Board to continue studying the larger issue of retail use in Downtown Birmingham, specifically but not limited to the following:

1. To evaluate the current geographic boundary of the Retail District for modification and also consider a priority level hierarchy consisting of the downtown core and other areas within the current Redline Retail Boundary.
2. To evaluate current properties in the Redline Retail Boundary that were not built to support first floor retail uses and provide recommendations to address this issue. Such properties may, for example, have not been built with first floor frontage at grade or the building was not previously designed to support retail use.
3. To evaluate a prohibition of desks, workstations and office related amenities placed within the first 20 feet of depth of window frontage within the Retail District and recommend ordinance language to address the issue.

The Planning Board expressed a desire to have a private consultant review Birmingham's Retail Frontage Line and make a recommendation related to the directives of the City Manager. An RFP was issued for a Downtown Retail Review requesting (1) a review of the Downtown Overlay District's retail frontage line boundary requirements and the City Manager's research directives for the Planning Board, (2) a review of current research done by City staff & consultants, (3) an existing conditions report, (4) an analysis of future trends in retail and projections for retail demand in similar walkable, urban communities, (5) an evaluation of the current retail frontage line, (6) public engagement sessions, (7) a final analysis including potential options for retail tiers and pedestrian oriented uses within each tier and (8) attendance at meetings. Only one firm responded to the RFP and it is the intent to clarify the scope of work requested and reissue the RFP sometime this year in an attempt to solicit multiple firms given the uncertainty with the cost for this type of work from only one bid.

## **Projections into the Right of Way**

The Michigan Building Code permits projections of certain architectural elements into the right of way, including awnings, signage, canopies, marquees, planters and other similar elements. The recent renovation of the 100 S. Old Woodward building and the 335 E. Maple building raised questions as to whether projecting elements should be permitted, and if so, whether there should be restrictions in addition to those permitted by code. The Zoning Ordinance has regulatory standards for the size and placement of awnings, but does not contain comprehensive standards governing the projection of architectural details such as balconies projecting into the right-of-way.

Much discussion has been had regarding overall concerns about (1) allowing architectural features such as cornices and bay windows to project in the right-of-way, (2) having consistent regulations for projections into the right-of-way apply throughout the entire City, (3) specifying that no occupied space may project into right-of-way, and (4) requiring a special encroachment permit to be obtained after final site plan or design approval is granted from the Planning Board, Design Review Board, or Historic District Commission. The issue has not been completely resolved and continues to be studied by the Planning Board.

### **Residential Permit Parking**

Over the past several years, residents of various neighborhoods have been requesting a change from normal parking to residential permit parking on their streets to prevent spillover from schools and businesses. The City has several prerequisites that need to be met in order to approve residential permit parking, including a certain percentage of residents in favor of the petition, the street must be residential and a limited number of blocks, and be in proximity to a major commercial, industrial or school area. As the number of residential parking requests continue to remove public parking, the City has discussed creating new standards for approval.

**DATE:** January 15, 2019

**TO:** Joseph A. Valentine, City Manager

**FROM:** Brooks Cowan, City Planner

**APPROVED:** Jana Ecker, Planning Director

**SUBJECT:** Downtown Retail

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## INTRODUCTION:

After the City Commission adopted a new definition for personal services in relation to retail use on November 13, 2017, the City Manager directed the Planning Board to continue studying the larger issue of retail use in Downtown Birmingham specifically, but not limited to, the following:

- To evaluate the current geographic boundary of the Retail District for modification and also consider a priority level hierarchy consisting of the downtown core and other areas within the current Retail District Boundary
- To evaluate current properties in the Retail District that were not built to support first floor retail uses and provide recommendations to address this issue. Such properties may, for example, have not been built with first floor frontage at grade or the building was not previously designed to support retail use.
- To evaluate a prohibition of desks, workstations and office related amenities placed within the first 20 feet of depth of window frontage within the Retail District and recommend ordinance language to address the issue.

## BACKGROUND:

On June 18, 2018, The Planning Board and City Commission held a joint meeting where the Board expressed a desire to have a private consultant review Birmingham's Retail Frontage Line and make recommendations related to the directives of the City Manager. There was a general consensus from the City Commission that a consultant would be beneficial to the process.

On July 11, 2018 the Planning Department presented the first draft of a Request for Proposals "RFP" for a retail consultant. The Planning Board expressed that they would like to see more public engagement activities from the consultant. New public engagement requirements were added to the scope of work, as well as additional meetings with the City Commission.

On July 25, 2018, the Planning Board reviewed a revised draft of an RFP for retail review. Board members were pleased with the changes made to the prior version. The Planning Board requested that the title of the RFP be changed to "Downtown Retail Review", and requested minor wording changes to the public engagement section to encourage different types of public engagement activities. The Planning Board voted unanimously to recommend approval of the draft RFP to the City Commission.

On August 13, 2018, the City Commission reviewed the draft RFP for retail consulting services. The City Commission was concerned that the RFP as drafted needed to be refined to state the desire to strengthen retail within the redline retail boundaries, instead of considering the modification of the boundaries of the district as previously directed. The City Commission stated that the RFP should be very clear the goal of the study is to determine how best to organize the existing redline retail district in order to continue developing a pedestrian-oriented experience in Downtown Birmingham.

On August 27<sup>th</sup>, 2018, the City Commission approved the final version of the RFP for retail consulting services. The RFP was issued on August 30<sup>th</sup>, 2018.

On September 28<sup>th</sup>, 2018, one proposal was received by the Planning Department for consideration.

On October 29<sup>th</sup>, 2018, the City Commission considered awarding the Downtown Retail Review to Gibbs Planning Group. However, as only one bid was submitted, the City Commission requested staff to clarify the scope of work required and reissue the RFP later this year in an attempt to solicit multiple firms given the lack of cost comparison with only one bid received.

**ATTACHMENTS:**

Please find attached a revised draft of the Downtown Retail Review RFP with modifications made based on the comments and suggestions previously made by the City Commission. Additional feedback is requested at this time to ensure that the City Commission's goals and objective for this project are clearly articulated.





## **REQUEST FOR PROPOSALS FOR RETAIL FRONTAGE LINE REVIEW**

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Sealed proposals endorsed **"DOWNTOWN RETAIL REVIEW"**, will be received at the Office of the City Clerk, 151 Martin Street, PO Box 3001, Birmingham, Michigan, 48012; until \_\_\_\_\_, **2019 at 3:00pm** after which time bids will be publicly opened and read.

The City of Birmingham, Michigan is accepting sealed bid proposals from qualified professional firms to conduct a review of retail trends and policy in relation to its downtown. This work must be performed as specified in accordance with the specifications contained in the Request For Proposals (RFP).

The RFP, including the Specifications, may be obtained online from the Michigan Inter-governmental Trade Network at <http://www.mitn.info> or at the City of Birmingham, 151 Martin St., Birmingham, Michigan, ATTENTION: Jana L. Ecker, Planning Director.

The acceptance of any proposal made pursuant to this invitation shall not be binding upon the City until an agreement has been executed.

<b>Submitted to MITN:</b>	(Month, Date, Year)
<b>Deadline for Submissions:</b>	(Month, Date, Year) at 3:00pm
<b>Contact Person:</b>	Jana L. Ecker, Planning Director P.O. Box 3001, 151 Martin Street Birmingham, MI 48012-3001 Phone: 248-530-1841 Email: <a href="mailto:jecker@bhamgov.org">jecker@bhamgov.org</a>



**REQUEST FOR PROPOSALS  
FOR RETAIL FRONTAGE LINE REVIEW**

**Contents**

<a href="#"><u>INTRODUCTION</u></a> .....	3
<a href="#"><u>SCOPE OF WORK</u></a> .....	5
<a href="#"><u>INVITATION TO SUBMIT A PROPOSAL</u></a> .....	7
<a href="#"><u>INSTRUCTIONS TO BIDDERS</u></a> .....	8
<a href="#"><u>EVALUATION PROCEDURE AND CRITERIA</u></a> .....	10
<a href="#"><u>TERMS AND CONDITIONS</u></a> .....	9
<a href="#"><u>CONTRACTOR'S RESPONSIBILITIES</u></a> .....	11
<a href="#"><u>CITY RESPONSIBILITY</u></a> .....	12
<a href="#"><u>SETTLEMENT OF DISPUTES</u></a> .....	12
<a href="#"><u>INSURANCE</u></a> .....	12
<a href="#"><u>CONTINUATION OF COVERAGE</u></a> .....	12
<a href="#"><u>EXECUTION OF CONTRACT</u></a> .....	12
<a href="#"><u>INDEMNIFICATION</u></a> .....	12
<a href="#"><u>CONFLICT OF INTEREST</u></a> .....	12
<a href="#"><u>EXAMINATION OF PROPOSAL MATERIALS</u></a> .....	12
<a href="#"><u>PROJECT TIMELINE</u></a> .....	13
<a href="#"><u>ATTACHMENTS</u></a> .....	13

## **INTRODUCTION**

For purposes of this request for proposals, the City of Birmingham will hereby be referred to as "City" and the private consulting firm or firms will hereby be referred to as "Contractor."

At this time, the City of Birmingham, Michigan is seeking a comprehensive review of its Retail Frontage Line policy. It is accepting sealed bid proposals from qualified professionals who have experience in urban design, form based code, and creating zoning policies that strengthen retail corridors in traditional walkable downtowns. The selected firm will be expected to provide recommendations for modifications to existing policies that continue to enhance Birmingham's thriving downtown retail district in accordance with the following objectives:

## **OBJECTIVES**

1. Build on existing policies to strengthen the downtown retail environment in order to continue developing a pedestrian oriented experience as outlined in the City's Downtown Master Plan and achieve the following goals:
  - a. Increase pedestrian activity downtown during daytime and evening hours
  - b. Increase residential occupancy downtown
  - c. Increase the activation of existing alleys;
2. Review what first floor retail means for a successful downtown and provide recommendations to comply;
3. Identify design elements and zoning policies to enhance and strengthen core retail areas, including but not limited to, size of retail properties, residential and commercial parking regulations downtown, and;
4. Evaluate unique circumstances in the retail area, including non-conforming building forms, and provide recommendations to address these circumstances.

## **SELECTION**

It is anticipated that the selection of a firm will be completed by (Month XX, Year XXXX). An agreement for services will be required with the selected Contractor. A copy of the Agreement is contained herein as Attachment A. Contract services will commence upon execution of the service agreement by the City.

## **BACKGROUND**

The Retail Frontage Line in Downtown Birmingham consists of 3.25 linear miles with approximately 280 first floor businesses. Its purpose is to require street level uses that will create a downtown environment that activates the street and contributes to a walkable pedestrian experience. This zoning policy was first proposed in the Downtown Birmingham 2016 Plan which was adopted in 1996. The Redline Retail Frontage policy and permissible uses are defined as follows:

Section 3.04(C)(6) in the Downtown Birmingham Overlay District states:

*Buildings that have frontage along the required retail frontages, as specified on the Regulating Plan, shall consist of retail with minimum depth of 20 feet from the frontage line within the first story.*

**Retail Frontage Line** is defined as:

*All lot lines abutting a public street that are required to be retail, as designated on the Downtown Birmingham 2016 Regulating Plan.*

**Retail Use** is defined as:

*Any of the following uses, Artisan, community, commercial, entertainment (including all establishments operating with a liquor license obtained under Chapter 10 , etc) bistro or restaurant uses.*

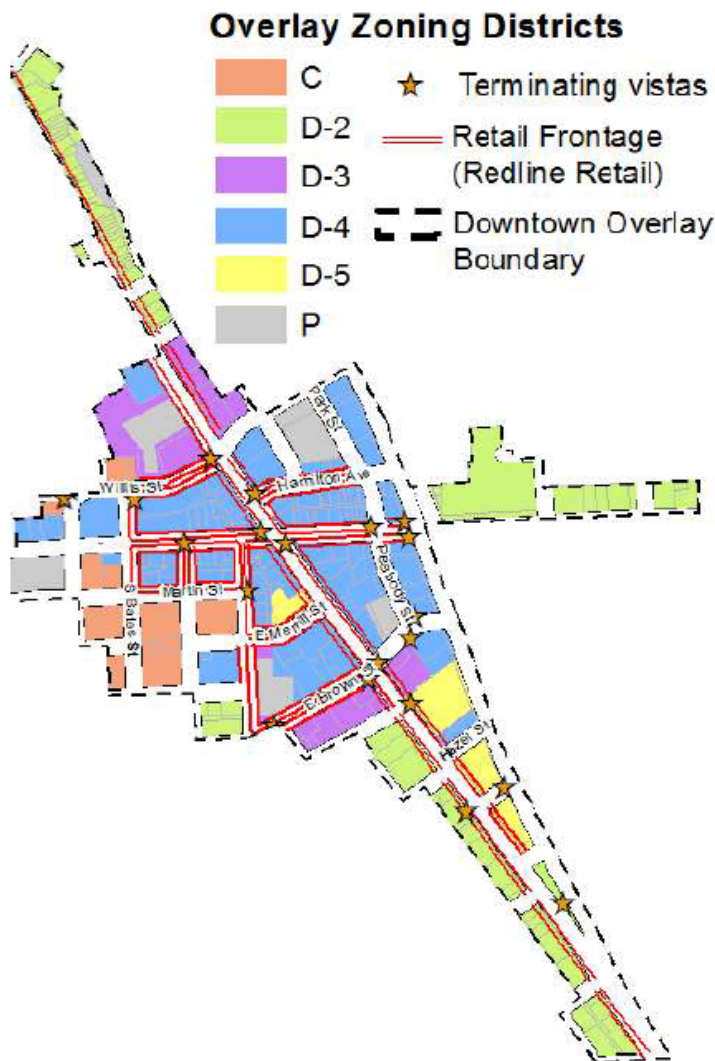
**Commercial Use** is defined as:

*Premises used generally in connection with purchase, sale, barter, display, or exchange of goods, wares, merchandise, or personal services.*

**Personal Services** is defined as (Adopted November 13, 2017):

*Establishment Open to general public and engaged primarily in providing services directly to individual consumers, including, but not limited to, personal care services, services for care of apparel and other personal items, but not including business to business services, medical, dental, and/or mental health services.*

The boundary of the current Retail Frontage Line is illustrated in the Overlay Zoning Map provided below:



Since the inception of the 2016 Plan and the resulting creation of the Redline Retail District/Retail Frontage Line, the City has maintained a strong commitment to requiring and strengthening first floor retail uses and promoting Birmingham as a premier urban shopping destination within the region.

### **SCOPE OF WORK**

This work must be performed as specified in accordance with the specifications outlined by the Scope of Work contained in this Request for Proposals (RFP). The selected Contractor will work with the City to review and provide recommendations for strengthening Birmingham's Retail Frontage Line policy based on the objectives listed above. The scope of services is as follows:

#### **1. Review the City Manager's Research Directives for the Planning Board.**

- a. To evaluate the current geographic boundary of the Retail District to determine if modification is needed, and to also consider whether a priority level hierarchy consisting of the downtown core and other areas within the current Downtown Retail Boundary is advisable.

- b. To evaluate current properties in the Redline Retail Boundary that were not built to support first floor retail uses and provide recommendations to address this issue. Such properties may, for example, have not been built with first floor frontage at grade or the building was not previously designed to support retail use.
- c. To recommend ordinance language to address the prohibition of desks, workstations and office related amenities placed within the first 20 feet of depth of window frontage within the Retail District .

## **2. Review Current Research Done by City Staff & Consultants.**

- a. The City has conducted an inventory of all businesses in the Redline Retail District and organized them by zoning categories in order to help determine where there are strong clusters of retail use and identified existing buildings less suitable for retail use within the Redline Retail District.
- b. The City reviewed a three-tiered system of allowable first floor uses and various boundaries for these tiers.
- c. The Contractor selected will review this current research, in addition to reviewing prior market studies completed for the Birmingham Shopping District in 2012, 2013 and 2016.

## **3. Provide an Existing Conditions Report.**

- a. The City wishes to evaluate how current design elements of Birmingham's downtown buildings impacts the demand for retail space.
- b. The City also wishes to evaluate the distribution of first floor uses, asking rents, vacancies, and size of leasable retail spaces in order to determine the current retail environment in downtown. A comparison of second and third floor office rents versus first floor retail rents is also desirable in determining demand and the premium for first floor space.
- c. The existing conditions report should be used to determine Birmingham's retail strengths and weaknesses in the Redline Retail District compared to similar local, regional and national cities with similar demographics, insufficient mass transit and walkable downtowns and to identify possible policy options to enhance the retail experience in Downtown Birmingham.

## **4. Provide Future Trends in Retail and Projections for Retail Demand in Similar Walkable, Urban Communities.**

- a. The City's retail district has a mixture of national retailers, restaurants, and independent boutique shops. The City would like to see projections of shopper and retailer preferences for main street shopping districts such as Birmingham's with similar demographics and insufficient mass transit.
- b. The City would also like to see projections of how demand for main street retail may change in relation to current trends in regards to malls, big box stores, online shopping, walkable, urban retail and other similar trends, as well as anticipated market changes over the next 5 to 10 years to assist in crafting retail policy that allows Birmingham to maintain its current status as a premier urban shopping destination.

## **5. Evaluate Current Retail Frontage Line.**

- a. The Contractor shall consider urban design elements and form based code for the

interior and exterior of buildings to be implemented into the zoning code that will enhance retail business and improve the walkability of the downtown area.

- b. The Contractor should consider the creation of a priority level hierarchy that permits different pedestrian oriented uses and or varying retail requirements and regulations within the current Retail Frontage boundary.
- c. The Contractor shall consider how to address current buildings that are less suitable for retail businesses.
- d. The Contractor should consider the activation of public alleys that adjoin retail properties.

#### **6. Coordinate Public Engagement.**

- a. The Contractor shall conduct public engagement to get feedback from building owners, retailers, and citizens.
- b. The Contractor will be expected to conduct a minimum of two public engagement activities to receive input and engage the public on the Retail Frontage Line policy and the suggested tiered system reviewed by the Planning Board.
- c. The Contractor will be expected to coordinate their public notifications with the Birmingham Shopping District.

#### **7. Provide Final Analysis Including Potential Options for Retail Tiers and Enhanced Pedestrian Oriented Uses Within Each Tier.**

- a. The final analysis should include recommendations to strengthen and enhance Downtown Birmingham's retail environment based on the existing Downtown Master Plan strategies, objectives and goals as stated herein, as well as findings from the existing conditions analysis, retail trends and projections, and comparative analysis with similar communities.
- b. Recommendations should consider whether or not there should be a priority level hierarchy with multiple tiers of permissible 1<sup>st</sup> floor uses. If multiple tiers are recommended, final analysis should include where the potential boundaries of these tiers should be.
- c. An evaluation of current properties in the Downtown Retail Boundary that were not built to support first floor retail uses should also be conducted, and the final report should include recommendations to address this issue.
- d. The final report should include a prohibition of desks and other office furniture within the first 20 feet of depth of window frontage on the first floor and provide recommendations and/or ordinance language to address this issue.

#### **8. Attendance at Meetings.**

- a. The contractor shall expect to attend a minimum of five meetings with the City Commission and other boards, as well as organize and conduct a minimum of two public engagement activities with business owners, retailers and citizens.

This outline is not necessarily all-inclusive and the Contractor shall include in the proposal any other tasks and services deemed necessary to satisfactorily complete the project. Additional meetings with both the Planning Board and City Commission may be requested as needed.

#### **DELIVERABLES**

The Contractor shall provide a detailed report of their findings and conduct a final presentation to the Planning Board and City Commission.

1. One (1) reproducible PDF digital file and sixteen (16) hard color copies of the completed Report; and
2. One web-friendly, reduced size PDF digital file of the final Report for publication on the web and social media.

All data, illustrations and projections created or compiled throughout the project shall become the sole property of the City of Birmingham.

#### **TIME SCHEDULE AND COST PROPOSAL**

All proposals must include a proposed time schedule for completion of the report and a fixed price agreement with an associated fee schedule for extra meeting costs, should they be required. Reimbursable expenses will be billed at direct cost plus a 10% administrative charge. Normal reimbursable expenses including... associated with the project are to be included in the estimated fees as outlined in the proposal.

The Contractor shall perform all services outlined in this RFP in accordance with the requirements as defined and noted herein.

#### **INVITATION TO SUBMIT A PROPOSAL**

Proposals shall be submitted no later than ~~XXXXXXX~~ at 3:00pm to:

City of Birmingham  
Attn: City Clerk  
151 Martin Street  
Birmingham, Michigan 48009

One (1) electronic copy and one (1) hard copy of the proposal must be submitted. The proposal should be firmly sealed in an envelope, which shall be clearly marked on the outside, **"Downtown Retail Review"**. Any proposal received after the due date cannot be accepted and will be rejected and returned, unopened, to the proposer. Respondents may submit more than one proposal provided each proposal meets the functional requirements.



## **SUBMISSION REQUIREMENTS**

All proposals that wish to be considered must contain the following:

- (i) Cover Letter;
- (ii) Outline of qualifications of the Contractor and of the key employees that will be involved in the project. The project team should include each of the following skill sets:
  - Retail market analysis;
  - Retail trends and projections;
  - Zoning policy related to downtown retail corridors; and
  - Experience working with cities that have a mixed-use, form based code.
- (iii) Outline of Contractor(s) experience with the preparation of retail analyses, public engagement activities, and zoning policy recommendations, including references from at least two relevant communities where such plans have been completed. (Portions of sample plans prepared by the Contractor should be submitted with the proposal, up to a maximum of twenty-five (25) pages);
- (iv) Outline presenting a description of the scope of work to be completed, broken down into the following separate components:
  - (i) Review the Downtown Overlay District's Retail Frontage Line;
  - (ii) Review current research done by City staff;
  - (iii) Provide an updated existing conditions report;
  - (iv) Provide details of how the public engagement strategy will be implemented;
  - (v) Provide trends in retail and projections for retail demand in Birmingham;
  - (vi) Evaluate current boundary of Retail Frontage Line, as well as proposed boundaries for a tiered system of first floor uses;
  - (vii) Provide final analysis with recommendations for retail boundaries and uses within each boundary;
- (i) Proposed time frame for completion of each component of the scope of work;
- (ii) A statement of any additional services that you recommend, if any. Define hourly rates for additional services by discipline.
- (iii) Bidders Agreement (Attachment B);
- (iv) Cost Proposal (Attachment C); and
- (v) Iran Sanctions Act Vendor Certification (Attachment D).

## **INSTRUCTIONS TO BIDDERS**

1. Any and all forms requesting information from the bidder must be completed on the attached forms contained herein (see Contractor's Responsibilities). If more than one bid is submitted, a separate bid proposal form must be used for each.
2. Any request for clarification of this RFP shall be made in writing and delivered to: Jana L. Ecker, Planning Director, 151 Martin Street, Birmingham, MI, or via email to [jecker@bhamgov.org](mailto:jecker@bhamgov.org). Such request for clarification shall be delivered, in writing, no later than 5 days prior to the deadline for submissions. Email requests must contain in their subject line "Request for Clarification". All inquiries received will be answered and posted on MITN at least 3 days prior to the RFP submission due date.
3. All proposals must be submitted following the RFP format as stated in this document and shall be subject to all requirements of this document including the instruction to respondents and general information sections. All proposals must be regular in every

respect and no interlineations, excisions, or special conditions shall be made or included in the RFP format by the respondent.

4. The contract will be awarded by the City of Birmingham to the most responsive and responsible bidder and the contract will require the completion of the work pursuant to these documents.
5. Each respondent shall include in their proposal, in the format requested, the cost of performing the work. Municipalities are exempt from Michigan State Sales and Federal Excise taxes. Do not include such taxes in the proposal figure. The City will furnish the successful company with tax exemption information when requested.
6. Each respondent shall include in their proposal the following information: Firm name, address, city, state, zip code, telephone number, and fax number. The company shall also provide the name, address, telephone number and e-mail address of an individual in their organization to whom notices and inquiries by the City should be directed as part of their proposal.

#### EVALUATION PROCEDURE AND CRITERIA

The City will utilize a qualifications-based selection process in choosing a Contractor for the completion of this work. The evaluation panel will consist of City staff, board members, and/or any other person(s) designated by the City who will evaluate the proposals based on, but not limited to, the following criteria:

- Ability to provide services as outlined.
- Experience of the Contractor with similar projects.
- Content of Proposal.
- Cost of Services.
- Timeline and Schedule for Completion.
- References.

#### TERMS AND CONDITIONS

1. The City reserves the right to reject any or all proposals received, waive informalities, or accept any proposal, in whole or in part, it deems best. The City reserves the right to award the contract to the next most qualified Contractor if the successful Contractor does not execute a contract within ten (10) days after the award of the proposal.
2. The City reserves the right to request clarification of information submitted and to request additional information of one or more Contractors.
3. The City reserves the right to terminate the contract at its discretion should it be determined that the services provided do not meet the specifications contained herein. The City may terminate this Agreement at any point in the process upon notice to Contractor sufficient to indicate the City's desire to do so. In the case of such a stoppage, the City agrees to pay Contractor for services rendered to the time of notice, subject to the contract maximum amount.

4. Any proposal may be withdrawn up until the date and time set above for the opening of the proposals. Any proposals not so withdrawn shall constitute an irrevocable offer, for a period of ninety (90) days, to provide the services set forth in the proposal.
5. The cost of preparing and submitting a proposal is the responsibility of the Contractor and shall not be chargeable in any manner to the City.
6. Payment will be made within thirty (30) days after invoice. Acceptance by the City is defined as authorization by the designated City representative to this project that all the criteria requested under the Scope of Work contained herein have been provided. Invoices are to be rendered each month following the date of execution of an Agreement with the City.
7. The Contractor will not exceed the timelines established for the completion of this project.
8. The successful bidder shall enter into and will execute the contract as set forth and attached as Attachment A.

#### CONTRACTOR'S RESPONSIBILITIES

Each bidder shall provide the following as part of their proposal:

1. Complete and sign all forms requested for completion within this RFP.
  - a. Bidder's Agreement (Attachment B)
  - b. Cost Proposal (Attachment C)
  - c. Iran Sanctions Act Vendor Certification Form (Attachment D)
  - d. Agreement (Attachment A – **only if selected by the City**).
2. Provide a description of completed projects that demonstrate the firm's ability to complete projects of similar scope, size, and purpose, and in a timely manner, and within budget.
3. Provide a written plan detailing the anticipated timeline for completion of the tasks set forth in the Scope of Work.
4. The Contractor will be responsible for any changes necessary for the plans to be approved by the City of Birmingham.
5. Provide a description of the firm, including resumes and professional qualifications of the principals involved in administering the project.
6. Provide a list of sub-contractors and their qualifications, if applicable.
7. Provide three (3) client references from past projects, include current phone numbers. At least two (2) of the client references should be for similar projects.
8. Provide a project timeline addressing each section within the Scope of Work and a description of the overall project approach. Include a statement that the Contractor will be available according to the proposed timeline.

#### CITY RESPONSIBILITY

The City will provide a designated representative to work with the Contractor to coordinate both the City's and Contractor's efforts and to review and approve any work performed by the Contractor.

#### SETTLEMENT OF DISPUTES

The successful bidder agrees to certain dispute resolution avenues/limitations. Please refer to paragraph 17 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

#### INSURANCE

The successful bidder is required to procure and maintain certain types of insurances. Please refer to paragraph 12 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

#### CONTINUATION OF COVERAGE

The Contractor also agrees to provide all insurance coverages as specified. Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the agreement, the City may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the contract amount. In obtaining such coverage, Birmingham shall have no obligation to procure the most cost effective coverage but may contract with any insurer for such coverage.

#### EXECUTION OF CONTRACT

The bidder whose proposal is accepted shall be required to execute the contract and to furnish all insurance coverages as specified within ten (10) days after receiving notice of such acceptance. Any contract awarded pursuant to any bid shall not be binding upon the City until a written contract has been executed by both parties. Failure or refusal to execute the contract shall be considered an abandonment of all rights and interest in the award and the contract may be awarded to another. The successful bidder agrees to enter into and will execute the contract as set forth and attached as Attachment A.

#### INDEMNIFICATION

The successful bidder agrees to indemnify the City and various associated persons. Please refer to paragraph 13 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

#### CONFLICT OF INTEREST

The successful bidder is subject to certain conflict of interest requirements/restrictions. Please refer to paragraph 14 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

#### EXAMINATION OF PROPOSAL MATERIALS

The submission of a proposal shall be deemed a representation and warranty by the Contractor that it has investigated all aspects of the RFP, that it is aware of the applicable facts pertaining to the RFP process and its procedures and requirements, and that it has read and understands

the RFP. Statistical information which may be contained in the RFP or any addendum thereto is for informational purposes only.

**ANTICIPATED PROJECT TIMELINE**

Evaluate Respondents	October 2018
Interview Contractors	November 2018
Award Contract	December 2018
Project Kick-Off Meeting	January 2019
Project Update	March 2019
Final Draft of Plan Completed	June 2019

The Contractor will not exceed the timelines established for the completion of this project. A shorter timeline is encouraged and preferred.

## **ATTACHMENT A - AGREEMENT FOR DOWNTOWN RETAIL REVIEW**

---

This AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by and between CITY OF BIRMINGHAM, having its principal municipal office at 151 Martin Street, Birmingham, MI (hereinafter sometimes called "City"), and \_\_\_\_\_, Inc., having its principal office at \_\_\_\_\_ (hereinafter called "Contractor"), provides as follows:

### **WITNESSETH:**

**WHEREAS**, the City of Birmingham has heretofore advertised for bids for the procurement and performance of services required to perform retail consulting services to provide a comprehensive review and analysis of existing retail conditions and policy in the City's Central Business District and to provide recommendations for improvement, including future retail strategy, policy and implementation, and in connection therewith has prepared a request for sealed proposals ("RFP"), which includes certain instructions to bidders, specifications, terms and conditions.

**WHEREAS**, the Contractor has professional qualifications that meet the project requirements and has made a bid in accordance with such request for cost proposals to perform retail consulting services to evaluate current and future retail strategies and practices in the City's Central Business District and provide recommendations for improvement.

**NOW, THEREFORE**, for and in consideration of the respective agreements and undertakings herein contained, the parties agree as follows:

1. It is mutually agreed by and between the parties that the documents consisting of the Request for Proposal to perform retail consulting services to evaluate current and future retail strategies and practices in the City's Central Business District and provide recommendations for improvement and the Contractor's cost proposal dated \_\_\_\_\_, 2019 shall be incorporated herein by reference and shall become a part of this Agreement, and shall be binding upon both parties hereto. If any of the documents are in conflict with one another, this Agreement shall take precedence, then the RFP.
2. The City shall pay the Contractor for the performance of this Agreement in an amount not to exceed \_\_\_\_\_, as set forth in the Contractor's \_\_\_\_\_, 2019 cost proposal.
3. This Agreement shall commence upon execution by both parties, unless the City exercises its option to terminate the Agreement in accordance with the Request for Proposals.
4. The Contractor shall employ personnel of good moral character and fitness in performing all services under this Agreement.
5. The Contractor and the City agree that the Contractor is acting as an independent Contractor with respect to the Contractor's role in providing services to the City pursuant to this Agreement, and as such, shall be liable for its own actions and neither the Contractor nor its employees shall be construed as employees of the City. Nothing contained in this Agreement shall be construed to imply a joint venture or partnership and neither party, by virtue of this Agreement, shall have any right, power or authority to act or create any obligation, express or implied, on behalf of the other party, except as specifically outlined herein. Neither the City nor

the Contractor shall be considered or construed to be the agent of the other, nor shall either have the right to bind the other in any manner whatsoever, except as specifically provided in this Agreement, and this Agreement shall not be construed as a contract of agency. The Contractor shall not be entitled or eligible to participate in any benefits or privileges given or extended by the City, or be deemed an employee of the City for purposes of federal or state withholding taxes, FICA taxes, unemployment, workers' compensation or any other employer contributions on behalf of the City.

6. The Contractor acknowledges that in performing services pursuant to this Agreement, certain confidential and/or proprietary information (including, but not limited to, internal organization, methodology, personnel and financial information, etc.) may become involved. The Contractor recognizes that unauthorized exposure of such confidential or proprietary information could irreparably damage the City. Therefore, the Contractor agrees to use reasonable care to safeguard the confidential and proprietary information and to prevent the unauthorized use or disclosure thereof. The Contractor shall inform its employees of the confidential or proprietary nature of such information and shall limit access thereto to employees rendering services pursuant to this Agreement. The Contractor further agrees to use such confidential or proprietary information only for the purpose of performing services pursuant to this Agreement.

7. This Agreement shall be governed by and performed, interpreted and enforced in accordance with the laws of the State of Michigan. The Contractor agrees to perform all services provided for in this Agreement in accordance with and in full compliance with all local, state and federal laws and regulations.

8. If any provision of this Agreement is declared invalid, illegal or unenforceable, such provision shall be severed from this Agreement and all other provisions shall remain in full force and effect.

9. This Agreement shall be binding upon the successors and assigns of the parties hereto, but no such assignment shall be made by the Contractor without the prior written consent of the City. Any attempt at assignment without prior written consent shall be void and of no effect.

10. The Contractor agrees that neither it nor its subcontractors will discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight or marital status. The Contractor shall inform the City of all claims or suits asserted against it by the Contractor's employees who work pursuant to this Agreement. The Contractor shall provide the City with periodic status reports concerning all such claims or suits, at intervals established by the City.

11. The Contractor shall not commence work under this Agreement until it has, at its sole expense, obtained the insurance required under this paragraph. All coverages shall be with insurance companies licensed and admitted to do business in the State of Michigan. All coverages shall be with carriers acceptable to the City of Birmingham.

12. The Contractor shall maintain during the life of this Agreement the types of insurance coverage and minimum limits as set forth below:

- A. Workers' Compensation Insurance: Contractor shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
- B. Commercial General Liability Insurance: Contractor shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than **\$1,000,000** per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.
- C. Motor Vehicle Liability: Contractor shall procure and maintain during the life of this Agreement Motor Vehicle Liability Insurance, including all applicable no-fault coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
- D. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following shall be *Additional Insureds*: The City of Birmingham, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof. This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.
- E. Professional Liability: Professional liability insurance with limits of not less than \$1,000,000 per claim if Contractor will provide service that are customarily subject to this type of coverage.
- F. Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance and Motor Vehicle Liability Insurance (and Professional Liability Insurance, if applicable), as described above, shall include an endorsement stating the following: "Thirty (30) days Advance Written Notice of Cancellation or Non-Renewal, shall be sent to: Finance Director, City of Birmingham, PO Box 3001, 151 Martin Street, Birmingham, MI 48012-3001.
- G. Proof of Insurance Coverage: Contractor shall provide the City of Birmingham at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City of Birmingham, as listed below.
- 1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance;
  - 2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
  - 3) Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;
  - 4) Two (2) copies of Certificate of Insurance for Professional Liability Insurance;



- 5) If so requested, Certified Copies of all policies mentioned above will be furnished.

H. Coverage Expiration: If any of the above coverages expire during the term of this Agreement, Contractor shall deliver renewal certificates and/or policies to the City of Birmingham at least (10) days prior to the expiration date.

I. Maintaining Insurance: Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the Agreement, the City of Birmingham may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the Agreement amount. In obtaining such coverage, the City of Birmingham shall have no obligation to procure the most cost-effective coverage but may contract with any insurer for such coverage.

13. To the fullest extent permitted by law, the Contractor and any entity or person for whom the Contractor is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City of Birmingham, its elected and appointed officials, employees and volunteers and others working on behalf of the City of Birmingham against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from and the City of Birmingham, its elected and appointed officials, employees, volunteers or others working on behalf of the City of Birmingham, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this Agreement. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the City of Birmingham.

14. If, after the effective date of this Agreement, any official of the City, or spouse, child, parent or in-law of such official or employee shall become directly or indirectly interested in this Agreement or the affairs of the Contractor, the City shall have the right to terminate this Agreement without further liability to the Contractor if the disqualification has not been removed within thirty (30) days after the City has given the Contractor notice of the disqualifying interest. Ownership of less than one percent (1%) of the stock or other equity interest in a corporation or partnership shall not be a disqualifying interest. Employment shall be a disqualifying interest.

15. If Contractor fails to perform its obligations hereunder, the City may take any and all remedial actions provided by the general specifications or otherwise permitted by law.

16. All notices required to be sent pursuant to this Agreement shall be mailed to the following addresses:

City of Birmingham  
Attn: Jana L. Ecker  
151 Martin Street  
Birmingham, MI 48009  
248.530.1841

CONTRACTOR  
(Insert Contractor Information)

17. Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 48th District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it

shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds \$1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL§600.5001 et. seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court or the 48th District Court.

18. FAIR PROCUREMENT OPPORTUNITY: Procurement for the City of Birmingham will be handled in a manner providing fair opportunity for all businesses. This will be accomplished without abrogation or sacrifice of quality and as determined to be in the best interest of the City of Birmingham.

**IN WITNESS WHEREOF, the said parties have caused this Agreement to be executed as of the date and year above written.**

WITNESSES:

**CONTRACTOR**

\_\_\_\_\_

By: \_\_\_\_\_

Its:

**CITY OF BIRMINGHAM**

\_\_\_\_\_

By: \_\_\_\_\_

Patricia Bordman

Its: Mayor

\_\_\_\_\_

By: \_\_\_\_\_

Cherilynn Mynsberge

Its: City Clerk

Approved:

\_\_\_\_\_  
Jana L. Ecker, Planning Director  
(Approved as to substance)

\_\_\_\_\_  
Mark Gerber, Director of Finance  
(Approved as to financial obligation)

\_\_\_\_\_  
Timothy J. Currier, City Attorney  
(Approved as to form)

\_\_\_\_\_  
Joseph A. Valentine., City Manager  
(Approved as to substance)

## **ATTACHMENT B - BIDDER'S AGREEMENT FOR DOWNTOWN RETAIL REVIEW**

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In submitting this proposal, as herein described, the Contractor agrees that:

1. They have carefully examined the specifications, terms and Agreement of the Request for Proposal and all other provisions of this document and understand the meaning, intent, and requirement of it.
  2. They will enter into a written contract and furnish the item or items in the time specified in conformance with the specifications and conditions contained therein for the price quoted by the proponent on this proposal.
- 

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**PREPARED BY (Print Name)**

**DATE**

---

**AUTHORIZED SIGNATURE**

---

**Title**

**E-MAIL ADDRESS**

---

**COMPANY**

---

**ADDRESS**

**PHONE**

---

**NAME OF PARENT COMPANY**

**PHONE**

---

**ADDRESS**

**ATTACHMENT C - COST PROPOSAL  
FOR DOWNTOWN RETAIL REVIEW**

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**In order for the bid to be considered valid, this form must be completed in its entirety.** The cost for the Scope of Work as stated in the Request for Proposal documents shall be a lump sum, as follows:

***Attach technical specifications for all proposed materials as outlined in the Contractor's Responsibilities section of the RFP (p. 6)***

COST PROPOSAL	
ITEM	BID AMOUNT
<b>TOTAL BID AMOUNT</b>	\$
<b>ADDITIONAL BID ITEMS</b>	
Additional meetings with City staff and boards	\$
Other -	\$
Other -	\$
<b>GRANDTOTAL AMOUNT</b>	\$

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Firm Name \_\_\_\_\_

Authorized signature \_\_\_\_\_ Date \_\_\_\_\_

## **ATTACHMENT D - IRAN SANCTIONS ACT VENDOR CERTIFICATION FORM FOR DOWNTOWN RETAIL REVIEW**

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Pursuant to Michigan Law and the Iran Economic Sanction Act, 2012 PA 517 ("Act"), prior to the City accepting any bid or proposal, or entering into any contract for goods or services with any prospective Vendor, the Vendor must certify that it is not an "Iran Linked Business", as defined by the Act.

By completing this form, the Vendor certifies that it is not an "Iran Linked Business", as defined by the Act and is in full compliance with all provisions of the Act and is legally eligible to submit a bid for consideration by the City.

---

<b>PREPARED BY (Print Name)</b>	<b>DATE</b>
<b>AUTHORIZED SIGNATURE</b>	<b>E-MAIL ADDRESS</b>
<b>TITLE</b>	
<b>COMPANY</b>	
<b>ADDRESS</b>	<b>PHONE</b>
<b>NAME OF PARENT COMPANY</b>	<b>PHONE</b>
<b>ADDRESS</b>	
<b>TAXPAYER I.D.#</b>	

**DATE:** January 16<sup>th</sup>, 2019

**TO:** Joseph A. Valentine, City Manager

**FROM:** Jana Ecker, Planning Director  
Nicholas Dupuis, Planning Intern

**SUBJECT:** Alley Improvement Plan Update 2019

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## INTRODUCTION:

In 2017, the Planning Division was directed to study possible remedies to cleanliness issues present in the City's alley and passage network to boost walkability and reinforce the Strategy for Alleys and Passages (SAP) Plan adopted in 2012, and the Via Activation Overlay District (VA) also adopted in 2012. The SAP and VA District were designed to provide a plan to manage and maintain existing alley and passage assets in the city, and to prepare a framework for re-imagining life in these intimate urban spaces. The strategy identifies needed improvements and provides recommendations for both design enhancements and activation strategies to encourage activity in hidden and underutilized urban spaces to provide active and attractive spaces that enhance public life and increase pedestrian activities in the study area.

The Planning Division created a phased improvement plan to begin combatting cleanliness issues in the City's alley and passage system, described below. In addition, once the improvement projects are underway, the City will perform an evaluation of existing ordinances in tandem with the improvement plan to ensure thoroughness and enforceability. The City will also explore other opportunities to incentivize property owners and businesses to activate their adjacent alley and passage space going forward.

## BACKGROUND:

A six-phased approach for alley improvement was presented at the long range planning meeting on January 27<sup>th</sup>, 2018 with the purpose of identifying six major target areas for improvement and general strategies for such. The six phases are as follows:

### **Phase 1: Wayfinding and Signage**

Well targeted signage reforms may play a significant role in the upkeep of an alley. As an example, alley-adjacent business owners in commercial districts can be held more accountable for their part in the cleanliness, safety and usefulness of the alley they utilize when their buildings are labeled and/or activated on the alley side as well. Typically, businesses would only need a sign if there is a public rear entrance to their building. Ann Arbor, MI allows an additional 1 sq. ft. of signage for each linear foot of alley frontage and 10 additional message units solely for signs facing said alley. Citizen enforcement and City code officials may be more likely to take proper action if it is easier to identify culprits. In a similar vein, businesses may keep their alley side cleaner if it is activated for pedestrians.

The current commercial signage regulations as it pertains to alleys/rear entrances in Birmingham are threefold: (1) Table B of the Sign Ordinance currently allows a maximum of 1 rear entry sign measuring a maximum of 6 sq. ft. (not counted towards total sign area), (2) Article 3, Section 3.16 (I) of the Zoning Ordinance requires all doors adjoining alleys or passages to provide signage identifying the first floor business(s) contained therein. Additionally, if the first floor use has an entrance onto an alley or passage, the tenant must provide pedestrian scaled projecting signs mounted perpendicular to the corresponding façade, and (3) the Sign Ordinance states that the *combined* area of all types of signs shall not exceed 1 sq. ft. for each linear ft. of principal building frontage, which can be divided as such to include signage in an alley or passage.

Aside from commercial business signage, regulatory signage is essential as well. Posting speed limits will reduce speed, dust and inappropriate through traffic, public or private access signs will let the public know where they are allowed and when, and littering signs (especially ones depicting fines for littering) can help with the massing of garbage in alleys. The City of Detroit, MI posts a speed limit sign of 15 mph in its alleys. In Birmingham, Article 3, Section 3.16 (D) requires Active Via's to post signs indicating a maximum speed for motor vehicles at 5 mph.

The Alleys and Passages Inventory (API) (2012) describes the conditions and features of Birmingham's alley and passage system, and includes basic information on signage. The following table summarizes the API's findings for signage:

<b>Alley/Passage</b>	<b>Types of Signage</b>
Baldwin Passage	<i>None</i>
Willits Alley	No parking, some commercial signage, wayfinding signage
Tender Passage	<i>None</i>
Bates Alley	No parking
Brooklyn Pizza Alley	No parking, some commercial signage
Churchill's Alley	No parking, some commercial signage
Edison Passage (West)	Some commercial signage
Edison Passage (East)	<i>None</i>
Daines Passage	<i>None</i>
Henrietta Alley	No parking, some commercial signage
N. Hamilton Alley	No parking, some commercial signage
S. Hamilton/E. Maple	No parking, some commercial signage
Social Passage	Some commercial signage
Commonwealth Passage	<i>None</i>
Café Via Passage	Some commercial signage
Clark Hill Passage	Some commercial signage
Shain Townsend Passage	Some commercial signage, wayfinding signage
Peabody Alley	No parking, some commercial signage
Peabody Plaza	Some commercial signage
Peabody Mansion Passage	Some commercial signage

The City of Birmingham has also invested resources into wayfinding signage to support the Strategy for Alleys and Passages Plan and Section 3.16 (J) of the Via Activation Overlay district. The plan recommends that wayfinding signage can be the most effective method of raising awareness that alleys and passages exist, and that these spaces provide additional retail and recreation opportunities. Signage can also provide convenient shortcuts and increased connectivity in commercial areas.

The first via wayfinding signs were installed in the summer of 2017. Four signs were installed directing pedestrians through the via alongside Social Kitchen on E. Maple through the alley and

out onto Hamilton next to Commonwealth Café. The Old Woodward reconstruction project also included the installation of two additional via signs at the Willits alley entrance on W. Maple and the pedestrian path on S. Old Woodward leading to Café Via. As a part of Phase 1 of the alley improvement project, five additional via wayfinding signs were fabricated and installed as of October 2018. Two signs were placed at the other two entrances to the Willits alley, the entrances to the Café Via passage along W. Maple and along Peabody, and the final sign on Merrill St. on the east side of 220 Restaurant.

Also stated in Article 3, Section 3.16 (J) (Wayfinding Signage) of the Zoning Ordinance is that a directory sign is required to be mounted on at least one of the building facades adjoining an entrance to a via. Directory signs must identify all businesses contained within or along a via. Where more than one building facade adjoins an entrance to a via, the board or commission reviewing the signage and/or site plan shall select the best facade(s) for this purpose.

## **Phase 2: Waste Receptacles**

The most conspicuous alley issue stems from the existence of dumpsters and other refuse containers located in alleys. However unsightly and disheveled dumpsters or refuse containers can inherently be, they are necessary for most commercial areas of the city. An example of an ordinance in Syracuse, NY regulated commercial waste generators in such a way that they themselves are held responsible for every aspect of waste collection and cleanliness. Commercial generators of refuse are first given an option to use city-provided collection service, or a private collection service. Whether public or private, commercial carts may be used in lieu of a dumpster if feasible. The feasibility can be increased by recycling and composting more materials. Commercial carts must be clean and in good repair. Wherever a dumpster is used, they must be clean, neat, freshly painted, have licensed haulers name and city license affixed to the container, be screened from public view, and not be placed in the public right-of-way unless otherwise approved.

Increasing recycling to decrease large waste receptacle needs, and thereafter space in landfills has been addressed in cities as well. In California, Assembly Bill 1327, the California Solid Waste Reuse and Recycling Access Act of 1991 requires new commercial and multi-family developments of 5 units or more, or improvements that add 30% or more to the existing floor area, to include adequate, accessible, and convenient areas for collecting and loading recyclable materials. The City of Elk Grove, California has written language requiring designed waste areas to dedicate 50% of the space to recycling. Recycling is inherently less odiferous and filth-producing as well. Currently, the only regulations in the City of Birmingham requiring recycling facilities is the Community Impact Study Checklist located in the Combined Community Impact Study and Preliminary Site Plan Review Application, which requires the applicant to indicate whether the existing or planned solid waste disposal system will adequately service the proposed development including space for separation of recyclable materials.

In Baltimore County, MA, ordinances are written to put the prevention of odors onto the owner or tenant of the commercial property using the waste receptacle. In San Jose, CA, commercial generators of waste are not allowed to store refuse containers in an alley at all, they are stored on their own property and can only be placed in an alley on garbage pickup day in between 6 AM and 6 PM. The City of Seattle takes a different route in mitigating the effects of trash receptacles. Seattle has decided to change the paradigm and the focus of alleys from trash collection and service based attributes to a public space and connectivity opportunity. The city of Royal Oak,



Michigan has moved to 50-gallon trash bins for recycling and one shared compactor dumpster in some alleys.

In Birmingham, we might add language describing the waste receptacles that the City would like to be allowed: Commercial waste generators are to use an appropriate number of 50-gallon refuse containers, or one slant dumpster not exceeding 4-yards. The size and number of refuse containers must be approved by the Director of the Department of Public Services. Commercial refuse containers must have hinged lids and must be locked when not in use. Refuse containers shall be kept neat, freshly painted, and in good repair. The City may also benefit from the allowance/promotion of increased recycling facilities, trash compactors, or shared dumpsters.

Expanding upon the signage/wayfinding section, it will be beneficial to the City to require all owners of dumpsters, or any waste receptacles, to place labels upon them: All permitted contributors to refuse containers must label their refuse containers with the business name, address, license number and phone number associated with the refuse container with a clear and durable label reasonably visible by average standards.

To help address the impact of waste receptacles on the City's alleys, the Planning Division began with Chapter 90 of the Zoning Code. Chapter 90 outlines the solid waste regulations for the City, including residential, commercial, multifamily, and mixed use properties. In conjunction with the Department of Public Services, the entire chapter was re-written to include more detailed regulations, such as regulating the size and disposition of commercial dumpsters, requiring commercial waste receptacles to be labeled, and upgrading storage standards. These ordinance amendments will be considered in early 2019.

### **Phase 3: Code Enforcement**

When new ordinance language regulating dumpsters is adopted, it will be important to begin the code enforcement phase, which will remain present throughout the alley improvement project and beyond.

Enforcing rules and regulations is a crucial facet of a clean, safe and useful alley. Big detriments to the health of an alley is the unlawful disposal of litter and refuse into alleys, illegal parking, and improper screening. Grand Rapids, MI code states that "no person shall throw or deposit any garbage or rubbish upon or into any street, alley or other property, public or private. It shall be the duty of every occupant property and of every owner of unoccupied property at all times to maintain the premises in a clean and orderly condition, permitting no deposit or accumulation of garbage or rubbish upon such premises." This rule is seconded in Springfield, IL, among many other cities.

The City of Birmingham must improve its City Code to empower code enforcement officials and concerned citizens, business owners and visitors. The City may also benefit from upgrades in code enforcement such as crowdsourcing, where persons may report perceived violations or issues through a dedicated portal present on the City website, or perhaps a mobile app.

### **Phase 4: Parking Control**

Illegal/improper parking is also a major issue which reverses cleanliness, safety and usefulness of alleys. Champaign, IL has written an ordinance that says "no person shall stop, stand or park any vehicle in any alley, except for utility vehicles to repair utility lines, freight carrying vehicles

to load, unload and deliver materials, licensed garbage haulers to pick up garbage or refuse, or other governmental emergency vehicles.” Denver, CO adds that “the loading and unloading of merchandise should be expeditious and that no driveways to abutting properties shall be blocked.” Illegally parked cars impose negative externalities on alleys such as the inability to pick up garbage if it cannot be reached, the inability of access for vehicles needed to service the adjacent businesses, and the prevention of use by other public members. There also exists the potential for increases in noise, air and groundwater pollutants with cars parked in the City’s alleys.

In certain alleys, such as the Willits Alley, Bates Alley, and Brooklyn Pizza Alley, there are dedicated parking spaces on private property for use by the adjacent tenants. This phase of the alley improvement project will clearly identify parking areas and will be targeting illegally parked vehicles in the City’s alleys.

### **Phase 5: Paving and Stormwater Management**

Paving and storm water retention are major aspects of alley improvement programs across the country. A portion of the Green Alley Handbook from Chicago focuses on paving techniques and the benefits of using advanced techniques for a more environmentally sound and less infrastructure dependent future. Proper alley pitching and grading, permeable pavement, high albedo pavement, and recycled construction materials provide an array of benefits. These benefits range from reducing stress on sewer systems to conserving energy. In Lansing, MI alleys are required to be paved with concrete or other bituminous materials in accordance with specifications approved by their Department of Public Service. This type of ordinance/code is very one dimensional and can be vastly improved. There are forms of concrete that are permeable and recycled materials can be used if green infrastructure is desired, without having to drastically alter the code. In Houston, TX, some public alleys are designed in a sloped V-shape to direct water toward drainage facilities (such as permeable pavement) located in the alley, or on the intersecting street. Green paving efforts not only positively affect storm water runoff, but they make alleys more attractive to walk through.

Article 3, Section 3.16 (E) (Viascape Standards) of the Zoning Ordinance states that all publicly owned via’s are to be paved with broom finish concrete with exposed aggregate paving accents. In the following section (3.16 F), it is stated that the use of porous concrete and green pavers is *encouraged*. Requiring or incentivizing permeable pavement and other green elements will be the focus of this phase.

### **Phase 6: Alley Width Standards**

Designing an alley with a right-of-way appropriate for its use may help reduce vehicle speed (if applicable), reduce the number of motor vehicle users, promote proper refuse pickup, and increase accountability. A typical garbage truck is around 9 ft. wide, 4-yard dumpster 5 ft. wide, sedans are roughly 6 ft. wide, ambulances are 12 ft. wide, and fire trucks are 8 ft. wide. Alleys around America are often built to accommodate these common alley users.

Keeping alleys as narrow as possible, while still allowing its use to be provided for without impediment, provides a calming effect as through traffic is not as likely to utilize the alley. Fewer cars mean less noise, less dirt/oil/emissions, and less litter. The City of Birmingham does not currently regulate the widths of alleys, but language in Article 3, Section 3.16 (D) states that to maintain access for service vehicles, a 10 ft. wide clear zone (extending 22 feet in height), must

be maintained for all Active Via's. The Alleys and Passages Inventory (2012) provides figures on the current widths of Birmingham's via's:

<b>Alley/Passage</b>	<b>Via Width</b>
Baldwin Passage	11 ft. (4.5 ft. sidewalk)
Willits Alley	Approx. 27 ft. east to west, and approx. 14-22 ft. north to south
Tender Passage	3 ft. at narrowest, 7 ft. at widest
Bates Alley	26 ft. at narrowest
Brooklyn Pizza Alley	Approx. 27 ft.
Churchill's Alley	Approx. 18 ft.
Edison Passage (West)	Approx. 16 ft. (11 ft. vehicle, 5 ft. pedestrian)
Edison Passage (East)	Approx. 12 ft.
Daines Passage	Approx. 12 ft.
Henrietta Alley	Approx. 25 ft.
N. Hamilton Alley	Approx. 30 ft.
S. Hamilton/E. Maple	Approx. 18 ft.
Social Passage	Approx. 14 ft.
Commonwealth Passage	Approx. 5 ft.
Café Via Passage	Approx. 20 ft.
Clark Hill Passage	Approx. 20 ft.
Shain Townsend Passage	Approx. 8 ft.
Peabody Alley	Approx. 15 ft.
Peabody Plaza	Varies
Peabody Mansion Passage	Approx. 16 ft.

For alleys that have completely changed uses from serviced based alleys to pedestrian walkways or public space, widths exceeding 20 ft. could be excessive, depending on the use. Birmingham's Via Activation Overlay District separates alleys into 3 types: Active Via, Connecting Via and Destination Via. Active and Destination Via's will need to remain wider because of the nature of the use. Connecting Via's used for pedestrian and bicycle passage only, however, could be slimmed down with beautification tactics such as landscaping and/or public art projects. Bicyclists feel comfortable with merely a 6 ft. travel lane and pedestrians a 5 ft. travel lane. With landscaping and public art, the alley will have more of a connection with the community and instill a desire to keep it clean.

The Via Activation Overlay District allows for retail sales and displays, public plazas and gathering spaces, art displays, community gardens, furniture, and landscaping, all of which may decrease the width of an alley or passage. The City may benefit from writing standards for alley and passage width minimums, including clear zones for all types of via's. Creating width standards and allowing expanded fields of use to reduce width will be included in this phase.

#### ATTACHMENTS:

- Phase Summary Chart
- Strategy for Alleys and Passages
- Alley and Passage Inventory
- Via Activation Overlay District Standards
- Sign Ordinance – Table B
- Relevant meeting minutes
- Alley Improvement Plan Phase 1 Memo
- Alley Improvement Plan Phase 2 Memo
- Current Chapter 90 –Solid Waste
- Suggested amended draft of Chapter 90 – Solid Waste

Phases	Goals and Objectives	Strategies	Projected Timeline
Wayfinding & Signage	<ul style="list-style-type: none"> <li>• Increase user safety through strategic regulatory signage such as speed limit, no parking, no littering, and/or designated loading area signage.</li> <li>• Direct pedestrians toward Via's and increase the walkability of the Downtown area.</li> <li>• Increase alley retail frontage use through increased signage allowance.</li> </ul>	<ul style="list-style-type: none"> <li>• Purchase and install approved via signage at locations to be determined.</li> <li>• Work with Police Department to determine consistent size and placement of regulatory signage.</li> <li>• Analyze current sign ordinance for possible tenant sign improvements in alleys.</li> </ul>	<ul style="list-style-type: none"> <li>• Spring/Summer 2018</li> </ul>
Waste Receptacles	<ul style="list-style-type: none"> <li>• Protect the public's health, safety and welfare.</li> <li>• Prevent nuisance.</li> <li>• Protect air, surface and groundwater resources.</li> <li>• Support the recycling of materials.</li> <li>• Regulate the number, location, maintenance, and operation of solid waste facilities.</li> <li>• Support the intent of the City's Master Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Rewrite Chapter 90 – Solid Waste of the Birmingham City Code of Ordinances.</li> <li>• Require labels on all trash receptacles.</li> <li>• Improve the conditions for code enforcement by increasing accountability.</li> </ul>	<ul style="list-style-type: none"> <li>• Fall/Winter 2018</li> </ul>
Parking Control	<ul style="list-style-type: none"> <li>• Protect accessibility for all users of Birmingham's alley and passage system, especially pedestrians, waste haulers and emergency vehicles.</li> <li>• Reduce pollutants resulting from parked cars.</li> </ul>	<ul style="list-style-type: none"> <li>• Determine alleys where parking is allowed, not allowed, or sometimes allowed.</li> <li>• Delineate actual parking spaces in alleys.</li> </ul>	<ul style="list-style-type: none"> <li>• Spring/Summer 2019</li> </ul>
Paving and Stormwater Management	<ul style="list-style-type: none"> <li>• Decrease impervious surfaces.</li> <li>• Reduce urban heat island effects.</li> <li>• Increase the usability of alleys without impediment.</li> </ul>	<ul style="list-style-type: none"> <li>• Create paving standards for alleys that include a certain amount of pervious pavement.</li> <li>• Consider different paving standards for destination, active and connecting Via's.</li> <li>• Analyze the potential for increased greenspace.</li> </ul>	<ul style="list-style-type: none"> <li>• Fall/Winter 2019</li> </ul>
Width Standards	<ul style="list-style-type: none"> <li>• Support the three classes of alleys as identified in the Strategy for Alleys and Passages Plan (Active, Connecting, Destination).</li> <li>• Protect accessibility for all users of Birmingham's alley and passage system.</li> </ul>	<ul style="list-style-type: none"> <li>• Determine the unimpeded width standards for each type of alley in the City.</li> <li>• Determine allowable alley design elements that would create a slimmer alley, i.e. planters, public art, furniture.</li> </ul>	<ul style="list-style-type: none"> <li>• Spring/Summer 2020</li> </ul>
Code Enforcement	<ul style="list-style-type: none"> <li>• Provide consistent monitoring and feedback processes.</li> <li>• Reduce littering and misuse of alleys.</li> <li>• Increase accountability.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide clearer and more consistent ordinance language as it pertains to alleys.</li> <li>• Research crowdsourcing.</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing Throughout</li> </ul>

# ACTIVATING URBAN SPACE: A STRATEGY FOR ALLEYS & PASSAGES



CITY OF BIRMINGHAM 2012



# TABLE OF CONTENTS

Executive Summary	5
Activating Alleys & Passages	6
Purpose & Goals of Strategy	7
Birmingham's Commitment to Alleys & Passages	8
Existing Conditions & 2016 Plan Classifications Summary	10
Map: Alleys & Passages listed in the Downtown Birmingham 2016 Plan	13
RECOMMENDATIONS	14
1: Create a New Classification System for Alleys & Passages	15
Map: Proposed Destination, Active, and Connecting Vias	17
2: Establish Design Guidelines & Enhancement Strategies	18
3: Establish Activation Strategies	20
Implementation Strategy	23



Photo of Block Place, Melbourne, Australia  
Source: Derek Midgley on Flickr



Photo of the Brattle Book Shop in Cambridge, MA  
SOURCE: bill\_comstock on Flickr



Photo of Wolf Lane in Perth, Australia  
Source: jarkti on Flickr

## EXECUTIVE SUMMARY

This study identifies alleys and passages in and around Downtown Birmingham, and seeks to provide a framework to classify alleys and passages into different categories based on their existing uses and to outline options to capitalize on opportunities for aesthetic improvement and activation of these spaces.

Alley and passage classifications provide a flexible framework from which to consider the level of regulation needed to achieve the desired outcomes for each type. The proposed classifications are not meant to be static, and may change due to future land usage, new technology, new destination locations, etc.

### DESTINATION VIAS

Destination vias have the most potential to assume an active and dynamic role in the urban fabric. These vias would likely be the focus for capital improvement projects, new development and business attraction, as well as the possible programming of events to attract residents and visitors.

### ACTIVE VIAS

Active vias have great potential for improvement as enhanced multi-modal corridors that provide through block connections. These vias would likely be the focus for capital improvement projects to improve access and safety for all users, and for guidelines or incentives to encourage businesses to expand into the via and improve their alley facades.

### CONNECTING VIAS

Connecting vias have great potential for aesthetic enhancements to create interesting and creative spaces to expand the pedestrian network and greatly enhance walkability. These vias would likely be the focus for smaller scale capital improvement projects. These projects would improve the aesthetic of the via, using elements such as new paving, landscaping, furniture and public art.

This document outlines recommendations for design guidelines, enhancement strategies and activation strategies for our alleys and passages. These recommendations encourage the enhancement of the urban realm by improving pedestrian and bicycle connectivity; creating active and interesting building edges that provide better engagement opportunities with pedestrians; and allowing for the creation of both formal and informal gathering spaces in alleys and passages. These recommendations ensure high quality urban design, engaging and pedestrian friendly activities, while simultaneously recognizing that service functions will likely continue to exist and need to be accommodated in certain places.

### DESTINATION VIAS

- » Have the most potential to play a dynamic role in the urban fabric
- » Focus on capital improvement projects, new development and business attraction
- » Possible programming of events to attract residents and visitors

### ACTIVE VIAS

- » Great potential for improvement as enhanced multi-modal corridors that provide through block connections
- » Focus on capital improvement projects to improve access and safety for all users
- » Create guidelines or incentives to encourage businesses to expand into the via and improve their alley facades

### CONNECTING VIAS

- » Encourage aesthetic enhancements to expand the pedestrian network
- » Capital improvement projects focus on aesthetic improvements such as new paving, furniture, public art etc.



ACTIVATING ALLEYS & PASSAGES

Alleys and passages in cities across the world have traditionally provided a functional purpose, such as access for service vehicles collecting trash, deliveries for adjacent businesses, back door access for employees or corridors for power lines, water lines, sewer lines and drainage. Alleys usually run behind or along side of buildings to keep these service functions hidden from view and out of the street. Many alleys and passages are found in older areas of town; they are often in historic districts and were designed at a time when large motorized vehicles did not exist. Away from the bustle of main roads, alleys and passages offer an integrated system of pedestrian and vehicle linkages that connect streets and districts.

Often alleys and passages are forgotten spaces. They are not considered part of the main streetscape; they are hidden from view and do not attract visitors other than service providers. However, alleys and passages provide opportunities to create unique urban spaces. In tight urban conditions, alleys and passages provide intimate corridors for pedestrians, and allow for convenient shortcut routes to adjoining streets and destinations. Encouraging activity to spill out from adjacent buildings into alleys and passages can strengthen retail, provide additional space for outdoor dining and special events, and can expand the pedestrian and bicycle network linking many different areas. Public investment designed to improve the aesthetics of alleys and passages, such as paving upgrades, the addition of furniture, lighting or landscaping, will attract people to these spaces, and will have revitalization benefits for all adjacent properties.

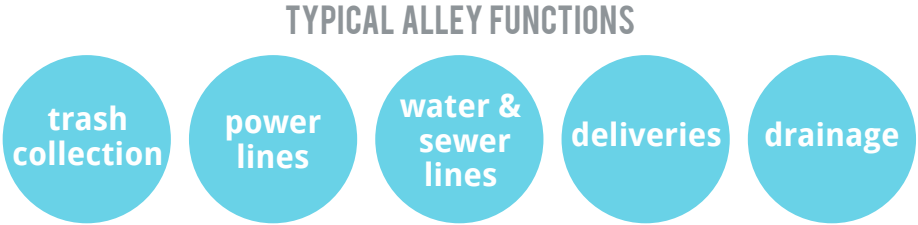


Photo of Cady's Alley in Washington D.C. This alley has upgraded paving and added other aesthetic improvements to make it more pedestrian-friendly.  
SOURCE: The Great Photographicon on Flickr

PURPOSE & GOALS OF STRATEGY

*Activating Urban Space: A Strategy for Alleys & Passages* is designed to provide a plan to manage and maintain existing alley and passage assets in the city, and to prepare a framework for re-imagining life in these intimate urban spaces. This plan includes a study of existing alleys and passages in Birmingham. It reviews existing master plans, ordinances, and the improvements that have been implemented in alleys and passages as a result of these plans.

This strategy then identifies needed improvements and it provides recommendations for both design enhancements and activation strategies to encourage activity in hidden and underutilized urban spaces to provide active and attractive spaces that enhance public life and increase pedestrian activities in the study area. The overarching purpose of this plan is to inspire interest from adjoining property owners, businesses and residents to create high quality urban spaces that encourage active use and engagement that enhance public life in Birmingham.

*Activating Urban Space: A Strategy for Alleys & Passages* seeks to recognize the role and character of alleys and passages in creating a fine grain urban realm, and seeks to activate these hidden urban spaces.

The overarching purpose of this plan is to inspire interest from adjoining property owners, businesses and residents to create high quality urban spaces that encourage active use and engagement to enhance public life in Birmingham.

GOALS
To maintain and enhance existing alleys and passages.
To improve the walkability and permeability of urban spaces in Birmingham.
To facilitate and create opportunities for activation of selected alleys and passages.
To ensure the safety and well-being of all users of alleys and passages.
To facilitate new development that assists in achieving desired outcome of plan.
To form the basis for ordinance amendments that will encourage a form of development in alleys and passages that will achieve the physical qualities necessary to enhance, activate and re-imagine the unique urban spaces in Birmingham.



BIRMINGHAM'S COMMITMENT TO ALLEYS & PASSAGES

For many years, the City has demonstrated that it is deeply committed to maintaining and enhancing its alleys and passage system. The City recognizes the intrinsic potential for these alleys and passageways to become dynamic spaces that play a critical role in enhancing our street network and serve as unique destinations within the fabric of our City.

The existing *Downtown Birmingham 2016 Plan* identifies and classifies existing alleys and passages in the downtown core. It provides basic recommendations for improving and activating the City's alleys and passages. The recommendations contained in the section, *Circulation 5*, of the *2016 Plan* state that alleys and passages should be held to higher aesthetic standards, similar to sidewalks, given their pedestrian function. *Appendix C-9* of the *2016 Plan* provides a map of all alleys in downtown Birmingham, and classifies each as an alley or a pedestrian passage. Additional attention is given to alleys and passages as pedestrian-friendly spaces in the *Birmingham Zoning Ordinance*. The *Zoning Ordinance* requires screening for parking adjacent to alleys and passages in the same manner provided along streets.

Over the last several years, many of the changes downtown have invigorated the streets and enhanced public life; these changes further reinforce the need for the City to develop a comprehensive strategy to further activate its downtown alleys and passageways. Examples of some of the recent changes to downtown that have been catalytic for enhancing the public realm are the construction of new residential units, the revitalization of three downtown parks, and the addition of a Farmers' Market. These changes have brought more people downtown—including residents and visitors, and make it important for the City to continue to cultivate the character of its alleys and passages.

The substantial increase in outdoor dining has also activated the streets and expanded public life. The implementation of the bistro ordinance has provided the potential for additional improvements to passages by requiring 70% glazing between 1 and 8 feet above grade on building facades that face a pedestrian passage. Examples of recent and proposed improvements to alleys and passages can be seen in the Willits alley that was improved at the time the Willits building was constructed, and the Social passage which was approved as a part of the Social bistro plan.

“Designate downtown alleys as either ‘alleys’ or ‘passages’ according to the plan in Appendix C-9 [of the Downtown Birmingham 2016 Plan]. Alleys should remain service places, while passages should be treated as sidewalks.”

-Downtown Birmingham 2016 Plan



TOP: Vehicles and pedestrians utilize Willits Alley.  
BOTTOM: Photos of Social Passage and the Social bistro outdoor dining area.





EXISTING CONDITIONS & 2016 PLAN CLASSIFICATIONS SUMMARY

Birmingham has many alleys located downtown and throughout the city. These alleys and passages vary in character, function, and condition. Each alley has the potential for some degree of improvement.

According to the *Downtown Birmingham 2016 Plan*, it is imperative to consider the function of each alley and passage when deciding which improvements should be undertaken and determine the desired level of pedestrian activity that should take place in each space. These spaces were classified as either an alley or passage in the 2016 Plan.

The *2016 Plan* identifies **alleys** by the service-oriented uses that take place here. The need to maintain access for deliveries and trash pickup is critical in alleys, these spaces must therefore maintain a clear zone that vehicles can traverse.

The *2016 Plan* defines **passages** as non-motorized cut-throughs. The pedestrian scale and activity can be allowed to flourish without the clear zone restrictions necessary in alleys.

The following list is an account of the classifications given to the downtown alleys and passages in the *Downtown Birmingham 2016 Plan*.

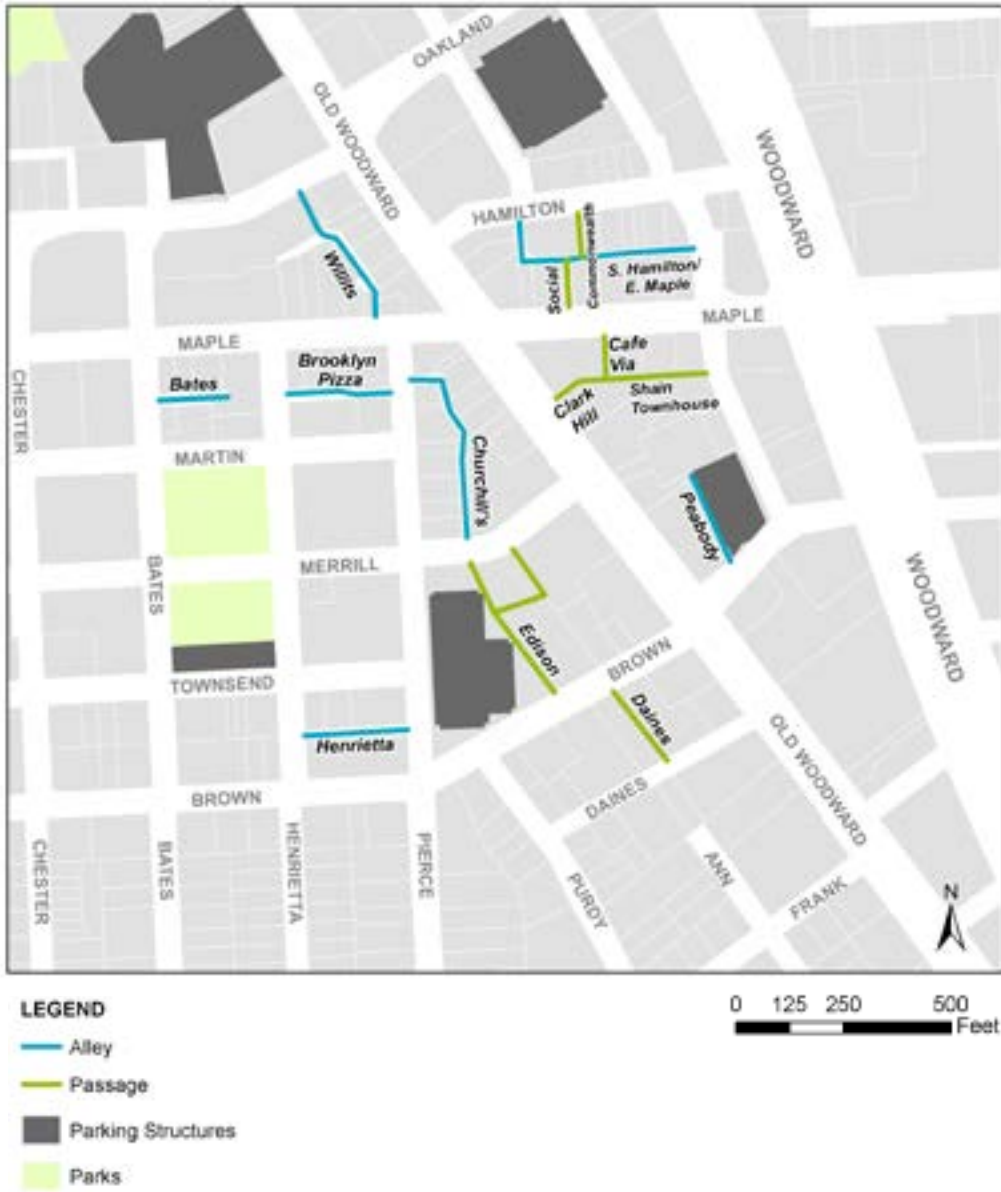
2016 PLAN: ALLEY CLASSIFICATION

- » Service oriented
- » Need access for deliveries & trash pickup
- » Require a clear zone

2016 PLAN: PASSAGE CLASSIFICATION

- » Non-motorized cut throughs
- » Do not require a clear zone
- » Ideal for pedestrian activity

MAP OF ALLEYS & PASSAGES LISTED IN THE DOWNTOWN BIRMINGHAM 2016 PLAN



ALLEYS: IDENTIFIED IN THE DOWNTOWN BIRMINGHAM 2016 PLAN

WILLITS ALLEY: W. MAPLE TO WILLITS



CHURCHILL'S ALLEY: PIERCE TO MERRILL



HAMILTON ALLEY: PARK TO HAMILTON



HENRIETTA ALLEY: PIERCE TO HENRIETTA



BATES/BROOKLYN PIZZA ALLEY: BATES TO PIERCE



PEABODY ALLEY: OFF OF BROWN





PASSAGES: IDENTIFIED IN THE DOWNTOWN BIRMINGHAM 2016 PLAN

SOCIAL / COMMONWEALTH PASSAGE: W. MAPLE TO HAMILTON



CAFE VIA PASSAGE / BRIGGS BUILDING



EDISON / 220 PASSAGE: MERRILL TO BROWN



DAINES PASSAGE: BROWN TO DAINES



Although the Edison/220 passage was identified by the 2016 Plan as a passage, it should be noted that this passage can be classified as both an alley and a passage. The east side of the building is accessible to non-motorized users only. The west side is accessible by cars and trucks, and it is used for the service functions identified in alleys.

RECOMMENDATIONS



# RECOMMENDATION 1: CREATE A NEW CLASSIFICATION SYSTEM FOR ALLEYS & PASSAGES

Existing alleys and passages can be broken up into different classifications for further study based on their future potential. As the urban context surrounding alleys and passages varies, so does the level of access provided and the type of services supported by the alley. These factors, along with others such as location within commercially zoned areas, presence of adjoining commercial development that could extend into the alley or passage, existing or future opportunity for mid- block connections, and level of importance in existing master plans, were all considered in the process of designating alleys and passages into the classification system. This classification system can form the basis for future development and enhancement. Three types of alleys and passages have been identified based on existing conditions, existing use and future potential.

## DESTINATION VIAS

Alleys and passages that people are drawn to as a destination for public gathering to participate in cultural activities, commercial activities, recreational activities, outdoor dining, special events, or pausing for respite. These are pedestrian scaled urban spaces designed without vehicular access for service functions.

Destination vias have the most potential to assume an active and dynamic role in the urban fabric. These vias would likely be the focus of capital improvement projects [public or private], new development and business attraction, as well as the possible programming of events to attract residents and visitors. Destination vias will likely be the focus for early implementation of design guidelines and activation strategies.

*Destination vias include, but are not limited to:*

- » Café Via Passage & Plaza
- » Social Passage (Formerly known as Tokyo Sushi Passage)
- » Peabody Passage & Plaza (behind the Birmingham 8 Theater)

## ACTIVE VIAS

Alleys and passages with a mix of uses and multi-modal activities. Active vias can be used by pedestrians and bicyclists for travel, smaller scale commercial activities (i.e. outdoor dining, retail sales and display), small pockets for pedestrian respite, and shared use by vehicles for access to parking and service functions.

Active vias have great potential for improvement as enhanced multi-modal corridors that provide through block connections. These vias would likely be the focus of

capital improvement projects [public or private] to improve access and safety for all users, as well as guidelines or incentives to encourage businesses to expand into the via and improve their via facades. Active vias will likely be the focus of ongoing implementation of design guidelines and activation strategies, as they may require significant changes in the behavior and use patterns of adjoining businesses.

*Active vias include, but are not limited to:*

- » Edison / 220 Alley
- » Churchill's Alley
- » N. Hamilton Alley
- » S. Hamilton Alley / E. Maple Alley
- » Brooklyn Pizza Alley
- » Willits Alley
- » Bates Alley
- » Henrietta Alley
- » Peabody Alley (area with cars and dumpsters)

## CONNECTING VIAS

Alleys and passages that provide a through-block connection exclusively for pedestrians and/or bicyclists. These have limited opportunities for commercial activity, limited service function, and no vehicular access.

Connecting vias have great potential for aesthetic enhancements to create interesting and creative spaces for pedestrian and bicycle use, to expand the non-motorized network and greatly enhance walkability. These vias would likely be the focus for smaller scale capital improvement projects [public or private] to improve the aesthetic of the via, such as new paving, landscaping, seating or public art. Connecting vias will provide low cost, high impact, implementation opportunities.

*Connecting vias include, but are not limited to:*

- » Daines Passage
- » Edison Passage (with the plaza)
- » Peabody Mansion Passage
- » Commonwealth Passage (near cafe)
- » Shain Townhouse Passage
- » Clark Hill Passage
- » Tender Passage
- » Baldwin Passage

## DESTINATION VIA: CAFE VIA PASSAGE



## ACTIVE VIA: CHURCHILL'S ALLEY



## CONNECTING VIAS: EDISON'S PASSAGE & BALDWIN PASSAGE







### Classifications for Alleys & Passages

#### LEGEND

- Active
- Connecting
- Destination
- Parking Structures
- Parks
- Crosswalks
- Vistas

### RECOMMENDATION 2: ESTABLISH DESIGN GUIDELINES & ENHANCEMENT STRATEGIES

Depending on the classification of an existing (or new) alley or passage, different types of design guidelines and enhancement strategies can be applied as new developments or capital improvements are proposed. The following elements should be integrated into design guidelines or design standards for each classification of alley or passage:

#### PAVING

Paving should be consistent with the materials and design patterns within the existing streetscape standards. Broom finish concrete with exposed aggregate accents is typical. Generally, broom finish concrete should serve as the primary pedestrian path.

#### LIGHTING

Pedestrian scale street lights may be added where feasible. Architectural and accent lighting should be encouraged to provide added visual interest. In addition, surface lighting of building facades and edges in alleys and passages should be encouraged as it provides better visibility and security.

#### FURNITURE

Where feasible and practical, streetscape furniture should be provided including trash receptacles, bike racks, benches and City news racks. Determining factors in placement should include available space, potential for use and adjacency to activity centers.

#### LANDSCAPING

Additional landscaping and greenery should be added wherever possible, particularly vertical elements along the edges of alleys and passages. This includes trees, bushes, shrubs, and flowers as well as vertical plantings in planter boxes, trellises or green screens with plant material such as climbing ivy and vines.

#### NAMING RIGHTS

A naming rights program should be explored as an additional method to provide funding for physical improvements in public alleys and passages.

#### PEDESTRIAN SCALED DESIGN

All portions of buildings and sites directly adjoining an alley or passage should maintain a human scale and a fine grain building rhythm that provides architectural interest for pedestrians and other users. Design details such as windows and doors overlooking the alley or passage to provide solar access, visual interaction and surveillance of the alley and passage should be encouraged or required. Walls facing alleys and passages should include windows and architectural features customarily found on the front facade of a building, such as awnings, cornice work, edge detailing or decorative finish materials.

#### CROSSWALKS

Crosswalks may be appropriate in some areas as a means to link alleys and passages together. Crosswalks could help visually connect the alleys and passages network and create a convenient way for pedestrians and bicycles to move through the city.

#### COMMERCIAL SIGNAGE

To draw people into alleys and passages, directory signage should be provided at each entry to all alleys and passages. In addition, to encourage creativity, to add color and to activate the urban space in alleys and passages, specific sign guidelines should be created for all properties with building facades immediately adjoining alleys or passages. Alley and passage signage should be bold and graphic in nature, and be used by individual businesses to draw attention to the rear access points of ground floor businesses.

#### TERMINATING VISTAS

Some of the alleys and passages could be enhanced by giving special attention to the terminating vistas residents and visitors see as they meander through alleys and passages. Interesting architectural details, landscaping, or the addition of public art along blank building walls and other terminating vistas will enhance how residents and visitors experience these spaces.



PAVING



Broom finish concrete with exposed aggregate accents

LIGHTING



Barcelona, Spain passage with edge lighting  
SOURCE: Carter Henricks on Flickr



Example of a light fixture

STREET FURNITURE



The City's official street furniture

LANDSCAPING



Climbing vines



Utility boxes screened by shrubs



Landscaping makes passages more welcoming to pedestrians



A fountain that doubles as a bench in the Cafe Via Passage

NAMING RIGHTS



The passage for Cafe Via is known as the Cafe Via Passage

COMMERCIAL SIGNAGE



Example of wayfinding signage for Willits Alley

PEDESTRIAN SCALED DESIGN



Architectural features help make an alley more pedestrian-friendly

RECOMMENDATION 3: ESTABLISH ACTIVATION STRATEGIES

Depending on the classification of an existing (or new) alley or passage, different types of activation strategies can also be used to encourage new developments and new uses. The following elements should be integrated into activation guidelines or standards for each classification of alley or passage:

ACTIVE EDGES

To enhance the amenity and character of alleys and passages, to enhance visual interest and encourage surveillance of urban spaces, active uses should be provided at the ground floor level along the majority of the edges of buildings located adjacent to alleys and passages. Uses such as outdoor dining, retail sales and display and art display should be encouraged to allow first floor uses to spill out into alleys and passages. All first floor uses should be directly accessible to the public from adjoining alleys and passages, with care taken to avoid conflict with pedestrian movement in the alley or passage. All doors adjoining alleys or passages should be required to provide signage identifying the first floor business(es) to attract visitors, and add visual impact and color to the alley or passage.

Uses such as drive-in facilities or commercial uses that encourage patrons to remain in their automobiles while receiving goods or services should be specifically prohibited in all alleys and passages. In addition, conditions that limit opportunities and the desirability of pedestrian uses, such as outdoor automatic food and drink vending machines, unscreened trash receptacles and unscreened outdoor storage should also be prohibited in alleys and passages.

Uses such as community gardens and public plaza space should be developed in or adjacent to alleys and passages to enhance public life by providing intimate public gathering spaces for special events, rest and relaxation or people watching. Design details for such spaces should include formal seating to create “places to pause” and informal seating that is integrated into the design of the public space, such as planter boxes or sculpture bases at chair height.

MULTI-MODAL ACCESS

Active and functional alleys and passages should provide 24-hour accessibility for bicycles, pedestrians and /or vehicles depending on their widths and functions. For alleys and passages with vehicular access, only slow speeds should be permitted, and equitable access should be provided to bikes, pedestrians and cars. Reconfiguration of existing traffic flow may be needed to provide for the safe flow

of pedestrians and bicyclists. A clear zone should be maintained to allow alleys and passages with existing vehicular traffic to maintain safe access for service vehicles. In addition, to ensure safe and secure pedestrian and bicycle routes in alleys and passages, it is important to reserve a shared zone that minimizes conflict points for bikes and pedestrians, while integrating any required service or access function. Any barriers that preclude full access of alleys and passages, such as parking gates, fences or enclosures blocking off stairs, windows or entrances should be prohibited. In some areas, where alleys align across streets, crosswalks may be appropriate to visually link alleys and passages together. Alleys and passages should also be utilized to provide multi-modal connections to key destinations throughout the city, such as parks or public libraries.

PUBLIC ART

Tasteful and appropriate public art should be encouraged in all available space. Special emphasis should be placed on creating terminating views that provide visual cues to users that these spaces are intended to be active and friendly.

WAYFINDING SIGNAGE

Wayfinding signage can be the most effective method of raising awareness that alley and passages exist, and that these spaces provide additional retail and recreation opportunities. The signage could also indicate that they provide convenient shortcuts and increased connectivity in commercial areas.

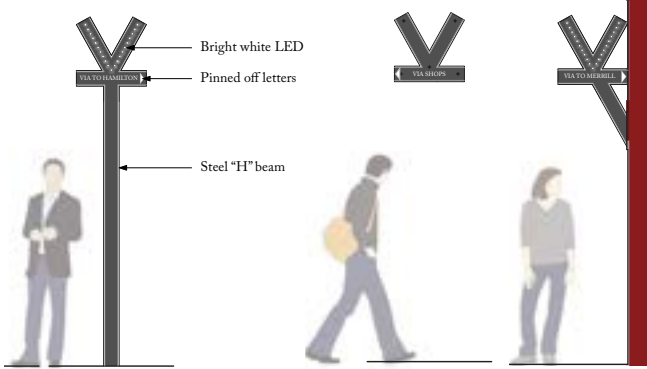


ACTIVATION STRATEGIES

BUSINESS SIGNAGE



WAYFINDING SIGNAGE: STAND ALONE & WALL MOUNTED



GARDEN ADJACENT TO EDISON PASSAGE



UTILITIES SCREENING



ENHANCED PASSAGE: PUBLIC ART, RETAIL DISPLAYS, LANDSCAPING, OUTDOOR DINING & WAYFINDING



Burnett Lane in Brisbane, Australia. This alley has been activated through outdoor dining.  
Source: <http://desktopmag.com.au/news/sydney-laneway-art-submissions/>



This is an example of a passage in Sydney, Australia that is part of the Laneway Art Program. The Laneway Art Program's goal is to activate and enliven Sydney's alleys and public spaces through temporary public art. The pieces are on display for a few months out of the year.  
Source: <http://desktopmag.com.au/news/sydney-laneway-art-submissions/>



# IMPLEMENTATION STRATEGY

TIMELINE	ACTION	DELIVERABLE
PRIORITIZATION PHASE 1 ↓	Identify and classify all alleys & passages within study area	Maps and photo survey
	Document existing conditions (pavement width, condition, etc.)	Prepare information sheets on all alleys & passages within study area
	Identify multi-modal connection opportunities within alleys & passages	Integrate findings and connections into Multi-Modal Plan
	Identify green strategies for alleys & passages	Establish a pilot section of green alley within the study area
	Develop signage standards for alleys & passages	Amendments to Sign & Zoning Ordinance
	Incorporate public art into alleys & passages	Attend Public Arts Board meeting to present <i>Activating Urban Spaces: A Strategy for Alleys &amp; Passages</i> , encourage placement of public art to enhance alleys & passages
	Improve wayfinding	Create brand for alley & passage wayfinding, develop standards for location of directional signage, install
	Develop conceptual case studies	One conceptual plan for each classification of alley and passage
	Enhance Design Guidelines for private development adjacent to alleys & passages	Alleys & Passages Overlay ordinance, or integration of regulations into existing Downtown & Triangle Overlay Districts
	Consider establishing a Naming Program for alleys & passages	Establish donor program for naming and improvement of alleys & passages
PRIORITIZATION PHASE 2 ↓	Review implementation strategies and prioritization for capital improvements	Prepare Capital Improvement Plan for alleys and passages with identified funding sources
	Establish a funding mechanism to encourage enhancement projects	A funding program to ensure that alleys and passages are enhanced
	Conduct regular review and plan update every 5 years	Revised strategy to reflect changes
	Encourage social, artistic, cultural events within destination alleys & passages	Develop event calendar and program for alleys & passages
	Investigate opportunities to attract and promote business within alleys and passages	Create incentive provisions in Zoning Ordinance or establish activation requirements, prepare pamphlet for distribution to existing businesses



# **CITY OF BIRMINGHAM ALLEYS AND PASSAGES INVENTORY**



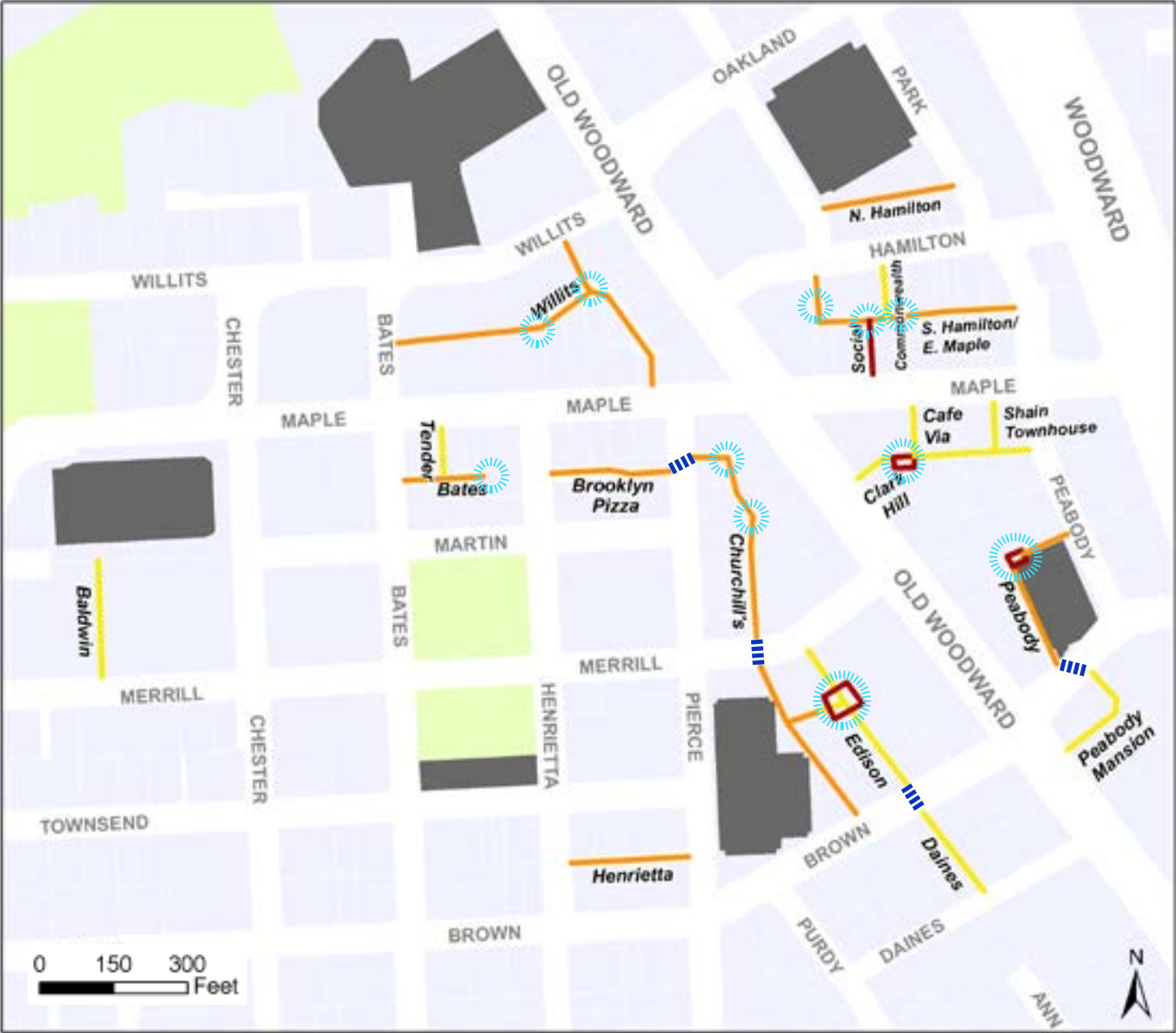
**JULY 2012**

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TABLE OF CONTENTS

.....

BALDWIN PASSAGE	6
WILLITS ALLEY	8
TENDER PASSAGE	10
BATES ALLEY	12
BROOKLYN PIZZA ALLEY	14
CHURCHILL'S ALLEY	16
EDISON PASSAGE (WEST SIDE)	18
EDISON PASSAGE (EAST SIDE)	20
DAINES PASSAGE	22
HENRIETTA ALLEY	24
N. HAMILTON	26
S. HAMILTON/ E. MAPLE	28
SOCIAL PASSAGE	30
COMMONWEALTH PASSAGE	32
CAFE VIA PASSAGE	34
CLARK HILL PASSAGE	36
SHAIN TOWNHOUSE PASSAGE	38
PEABODY ALLEY	40
PEABODY PLAZA	42
PEABODY MANSION PASSAGE	44



LEGEND

Active

Connecting

Destination

Parking Structures

Parks

Crosswalks

Vistas





Baldwin Passage

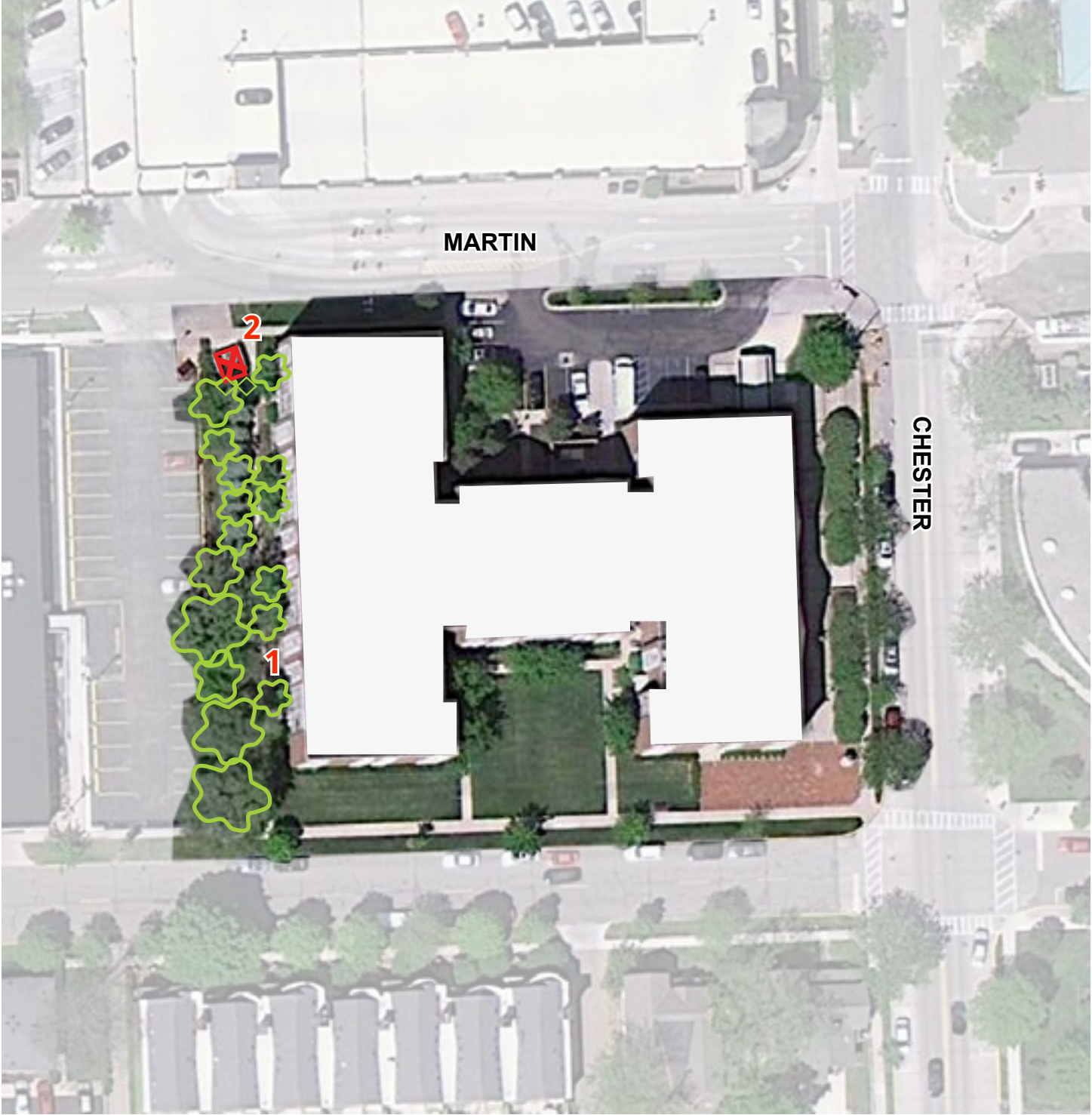
EXISTING CHARACTERISTICS

- CLASSIFICATION: Connecting
- WIDTH: 4.5 foot sidewalk, passage is approximately 11 feet wide
- SURFACE: Concrete sidewalk
- SURFACE CONDITION: Excellent
- EXISTING SERVICES: Trash, adjacent to the passage
- SCREENING: Dumpster enclosure adequately screens trash
- VEHICLES: None, exclusively a pedestrian passage
- PARKING: No
- BICYCLE FACILITIES: No existing facilities
- LIGHTING: Lighting from adjacent patios & bollards along the passage
- FURNITURE: No
- PLAZA/ GATHERING SPACE: No
- LANDSCAPING: Thick tree coverage lining the passage, and flower bed adjacent to the sidewalk on the Martin side of the passage
- PEDESTRIAN SCALED ARCHITECTURE: Patios, sliding doors & windows of the senior housing facility
- OUTDOOR COMMERCIAL USES: None
- SIGNAGE: None
- WAYFINDING SIGNAGE: None
- VISUAL FEATURES/ ART: Nice landscaping
- OTHER NOTES: A well-maintained passage that does not appear to be widely traveled

1

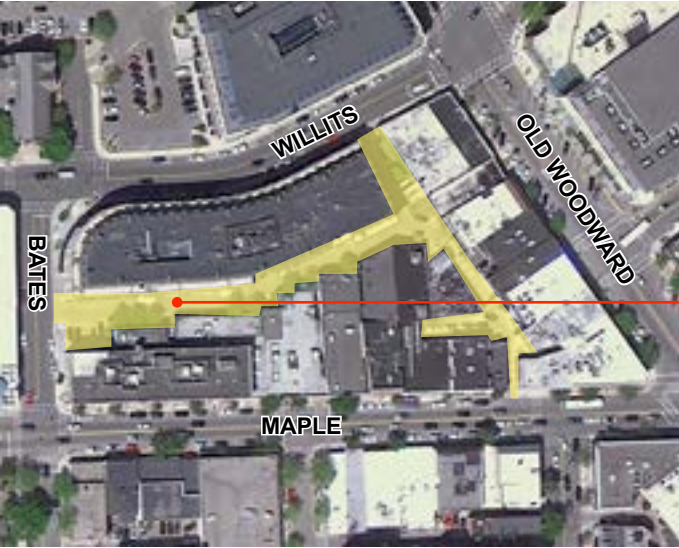


2



- Trees
- Landscaping
- Dumpster
- Screening Structure/Enclosure

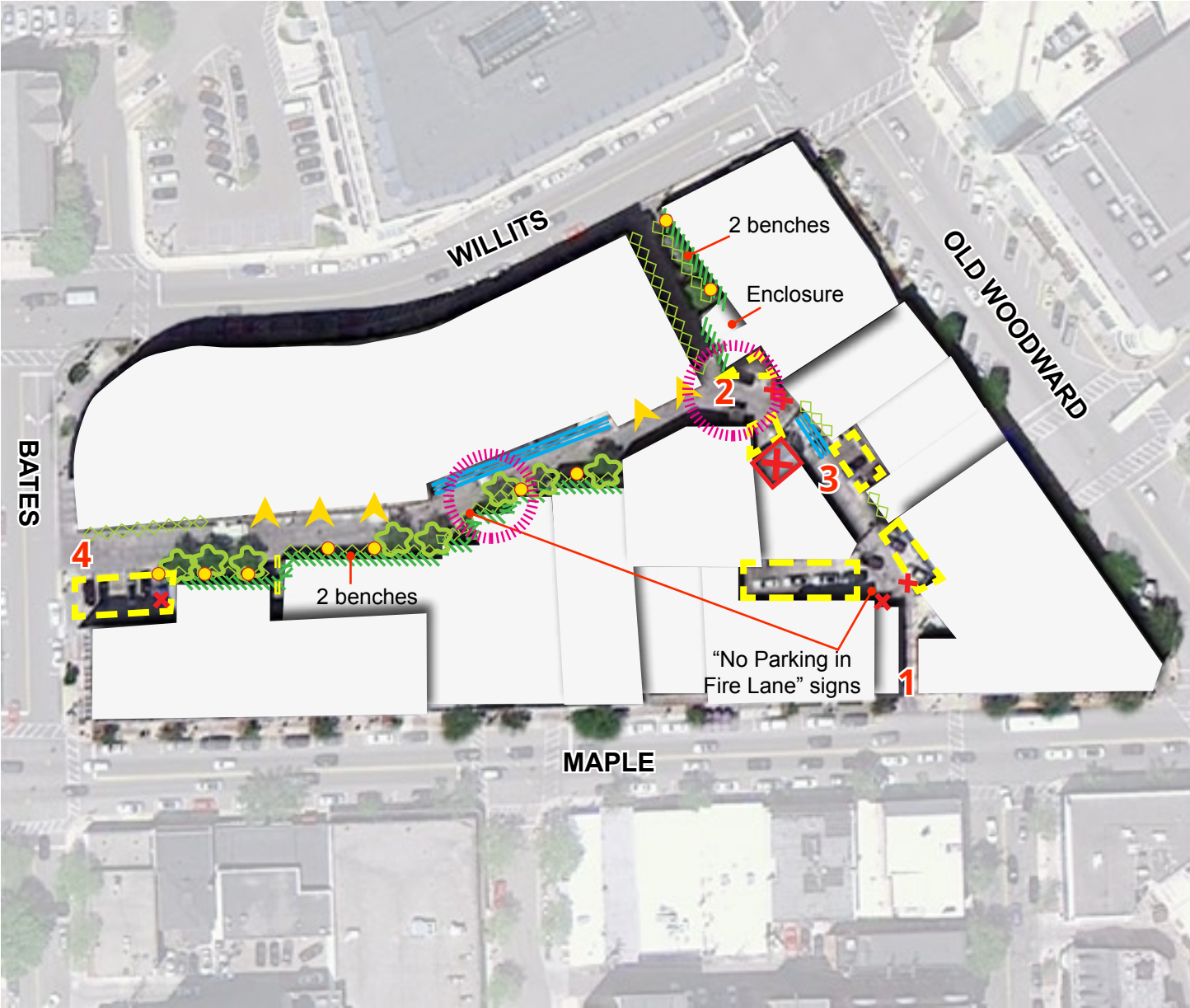




Willits Alley

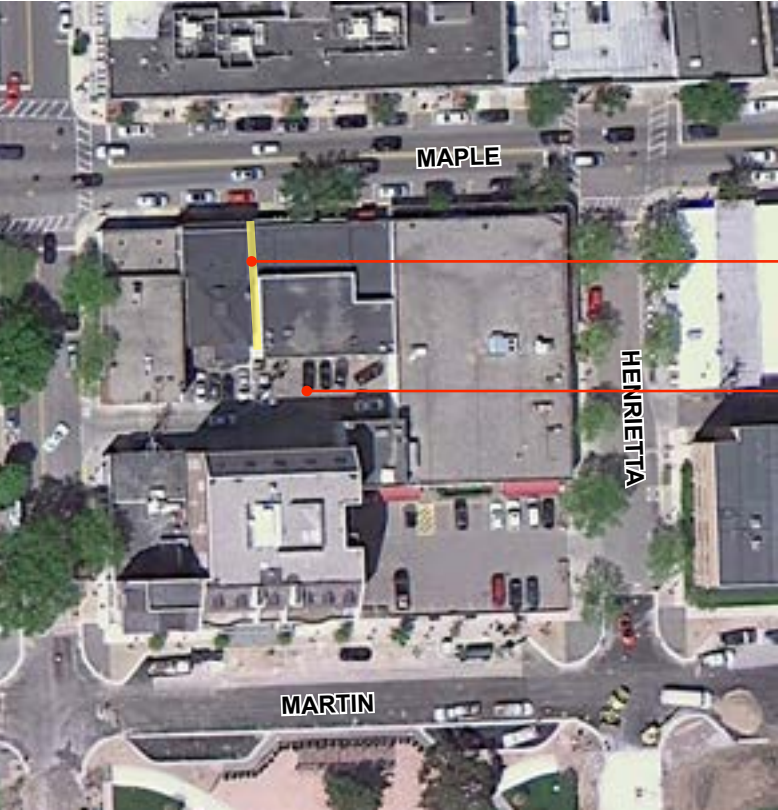
EXISTING CHARACTERISTICS

- CLASSIFICATION:** Active
- 2016 PLAN TYPE:** Alley
- WIDTH:** Approximately 27 feet east to west, approximately 14 to 22 feet wide north to south
- SURFACE:** Concrete with aggregate accents
- SURFACE CONDITION:** Good in most areas, OK in others
- EXISTING SERVICES:** Trash & deliveries
- SCREENING:** Some trash receptacles are screened, utilities are screened by a green wall on the Willits edge of the alley
- VEHICLES:** Cars & trucks
- SPEED LIMIT:** Not posted
- PARKING:** There are a number of “No Parking in Fire Lane” signs, parallel parking and perpendicular parking occurs in areas throughout the alley
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** 9 City street lamps & wall-mounted lights on the buildings along the passage
- FURNITURE:** 4 City benches along the alley
- PLAZA/GATHERING SPACE:** There are two small areas to pause for repose in the alley
- LANDSCAPING:** Green walls, trees, shrubs and other plantings
- PEDESTRIAN SCALED ARCHITECTURE:** Back doors of businesses, windows, and balconies on many of the buildings
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** Many of the buildings have signage on the wall facing the alley
- WAYFINDING SIGNAGE:** On Maple there is a wayfinding sign
- VISUAL FEATURES/ ART:** Nice mix of colors, textures, architectural & green features
- OTHER NOTES:** Clean and well-maintained alley that could use more delineation for parking, deliveries and pedestrian traffic



- |                                 |  |
|---------------------------------|--|
| Perpendicular or Angled Parking | Terminating Vista                            |
| Trash Compactors & Dumpsters    | Green Wall                                   |
| Trees                           | Cars parallel park here in the alley         |
| Landscaping                     | Entrances for covered parking or garage door |
| Compactor Enclosure             |  |





Tender Passage  
Bates Alley

EXISTING CHARACTERISTICS

- CLASSIFICATION:** Connecting
- WIDTH:** 3 feet wide at its narrowest & 7 feet wide at its widest
- SURFACE:** Concrete sidewalk
- SURFACE CONDITION:** Excellent
- EXISTING SERVICES:** None in the passage, however, there is a dumpster in the Bates Alley adjacent to the Tender Passage
- SCREENING:** No
- VEHICLES:** None, exclusively a pedestrian passage
- PARKING:** No parking in the Tender Passage, however, there is parking in the adjacent Bates Alley
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** Small wall-mounted lights
- FURNITURE:** No
- PLAZA/ GATHERING SPACE:** No
- LANDSCAPING:** None
- PEDESTRIAN SCALED ARCHITECTURE:** 2 staircases, a door to the other part of “Tender” & high first floor windows
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** None
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** View of Bates Alley, telephone pole & wires
- OTHER NOTES:** This passage is rather plain and aesthetic improvements could be made

1



2

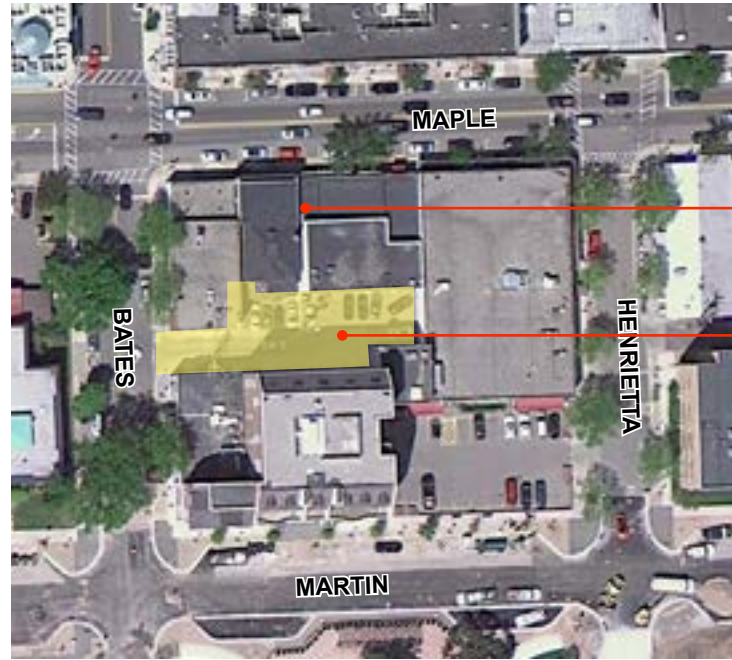


3



Side entrance to Tender  
Dumpster





1



2



3



EXISTING CHARACTERISTICS

- CLASSIFICATION:** Active
- 2016 PLAN TYPE:** Alley
- WIDTH:** 26 feet at narrowest point where there’s no parking
- SURFACE:** Concrete & asphalt
- SURFACE CONDITION:** Okay, could use some work in areas
- EXISTING SERVICES:** Trash & deliveries
- SCREENING:** Dumpster screening for townhouses next to garage doors
- VEHICLES:** Cars and trucks
- SPEED LIMIT:** Not posted
- PARKING:** “No Parking in Alley” signs. Perpendicular parking permitted on the north side of the alley
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** Small wall-mounted lights
- FURNITURE:** No
- PLAZA/ GATHERING SPACE:** No
- LANDSCAPING:** Small planters mounted on the walls of buildings
- PEDESTRIAN SCALED ARCHITECTURE:** Back doors of businesses and some windows
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** None
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** Telephone poles & wires, large plain white brick wall
- OTHER NOTES:** Connects to the Tender Passage with a set of three stairs. Dumpsters could be enclosed, and areas for pedestrian and vehicular traffic could be more clearly defined.



- • • Tender Passage
- ▭ Perpendicular Parking
- ▲ Garage doors for townhouses
- ✕ Dumpster
- ▭ Dumpster Enclosure
- ☀ Terminating Vista





EXISTING CHARACTERISTICS

- CLASSIFICATION:** Active
- 2016 PLAN TYPE:** Alley
- WIDTH:** Approximately, 27 feet wide, excluding parking area
- SURFACE:** Asphalt
- SURFACE CONDITION:** Poor
- EXISTING SERVICES:** Trash & deliveries
- SCREENING:** None
- VEHICLES:** Cars and trucks
- SPEED LIMIT:** Not posted
- PARKING:** “No Parking in Alley” signs, perpendicular parking on the north side of the alley
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** Small wall-mounted lights
- FURNITURE:** None
- PLAZA/ GATHERING SPACE:** No
- LANDSCAPING:** None
- PEDESTRIAN SCALED ARCHITECTURE:** Back doors of businesses and some windows
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** On the back of some businesses
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** Telephone poles
- OTHER NOTES:** A busy service alley

1



2



3



4



- Perpendicular Parking
- Dumpsters & Recycle Bins
- Potential Crosswalk Connection





Brooklyn  
Pizza Alley

Churchill's  
Alley

EXISTING CHARACTERISTICS

- CLASSIFICATION:** Active
- 2016 PLAN TYPE:** Alley
- WIDTH:** Approximately 18 feet wide
- SURFACE:** Asphalt
- SURFACE CONDITION:** Poor
- EXISTING SERVICES:** Trash & deliveries
- SCREENING:** None
- VEHICLES:** Cars and trucks
- SPEED LIMIT:** Not posted
- PARKING:** “No Parking in Alley” signs, however, parallel parking occurs. There is perpendicular parking in a bump out & covered parking adjacent to the alley
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** 3 City street lamps, some small wall-mounted lights
- FURNITURE:** None
- PLAZA/ GATHERING SPACE:** No
- LANDSCAPING:** Climbing vines on two buildings
- PEDESTRIAN SCALED ARCHITECTURE:** Alley entrance to Biggby’s coffee, back doors of businesses and a few windows
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** Small wall sign for Biggby’s Coffee entrance, one business has a decal on its back door
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** Corners break up the length of the alley, climbing vines
- OTHER NOTES:** A busy service alley with good vista opportunities. This alley could benefit from more clear delineation of pedestrian & service uses



- Perpendicular Parking
- Dumpster
- Potential Crosswalk Connection
- Green Wall
- Entrance for covered parking area
- Street Lamps
- Terminating Vista
- Cars parallel park here in the alley





Edison Passage

Daines Passage

EXISTING CHARACTERISTICS

**CLASSIFICATION:** Active

**2016 PLAN TYPE:** Passage

**WIDTH:** Approximately, 16 feet wide total: 5 feet in the pedestrian area & 11 feet wide for vehicles

**SURFACE:** Aggregate & concrete with brick accents

**SURFACE CONDITION:** Good in some areas, poor in area near the internal plaza

**EXISTING SERVICES:** Trash & deliveries in area adjacent to the passage

**SCREENING:** None

**VEHICLES:** Cars & trucks

**SPEED LIMIT:** Not posted

**PARKING:** One space behind 220 & two spaces by the large brick building adjacent to the passage. Bollards prevent parking along edge of the passage

**BICYCLE FACILITIES:** No existing facilities

**LIGHTING:** 1 City street lamp in plaza area, wall-mounted lights illuminate covered portion of the passage, wall mounted lights on the back of 220

**FURNITURE:** 4 benches and 6 large planters in the plaza

**PLAZA/ GATHERING SPACE:** Small plaza along the passage and landscaped plaza with sculptures adjacent to Merrill side of the passage

**LANDSCAPING:** Tree, shrubs and flowers along the passage

**PEDESTRIAN SCALED ARCHITECTURE:** Windows and doors along the passage

**OUTDOOR COMMERCIAL USES:** None

**SIGNAGE:** Decals on business doors adjacent to passage

**WAYFINDING SIGNAGE:** None

**VISUAL FEATURES/ ART:** Sculptures in plaza adjacent to the Merrill side of the passage

**OTHER NOTES:** The plaza could be made more inviting

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2



3

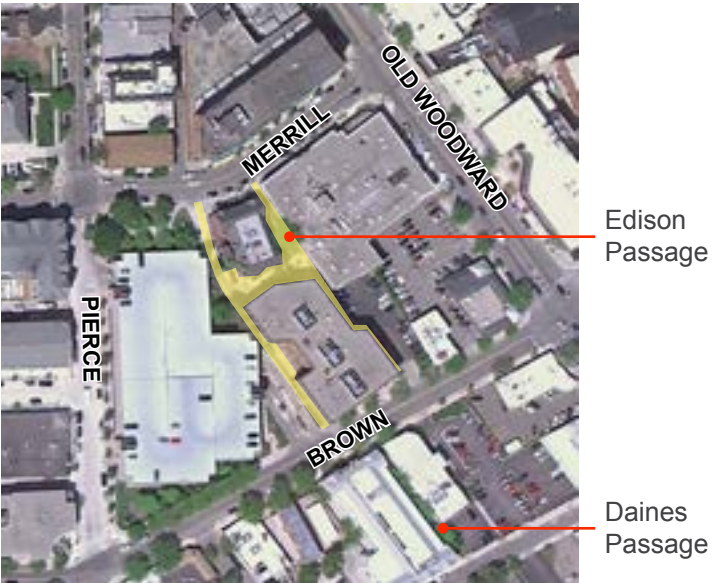


4



- Potential Crosswalk Connection
- Parking space
- Street Lamps
- Landscaping
- Trees
- Green Wall
- Dumpster
- Plaza





1



EXISTING CHARACTERISTICS

- CLASSIFICATION:** Connecting
- 2016 PLAN TYPE:** Passage
- WIDTH:** The passage is approximately 12 feet wide and it is wider where the plaza is located
- SURFACE:** Concrete & aggregate along the passage; aggregate with brick and concrete accents in the plaza
- SURFACE CONDITION:** OK along the passage, poor in the plaza
- EXISTING SERVICES:** Utilities, deliveries (on foot)
- SCREENING:** Lush landscaping provides some camouflage for utilities, some utility screening
- VEHICLES:** No vehicles permitted on this portion of the Edison passage
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** 1 City street lamp in plaza area, small wall-mounted lights on 220
- FURNITURE:** 3 benches
- PLAZA/ GATHERING SPACE:** Large plaza area with minimal furniture & landscaping
- LANDSCAPING:** Trees, shrubs and other plantings along the northern half of passage
- PEDESTRIAN SCALED ARCHITECTURE:** Windows and doors on buildings. A short brick wall, and a staircase located near the plaza
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** None
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** Attractive buildings and landscaping adjacent to the north side of the passage, the southern half of the passage is located adjacent to a surface parking lot
- OTHER NOTES:** This passage could be a good destination for a public art installations

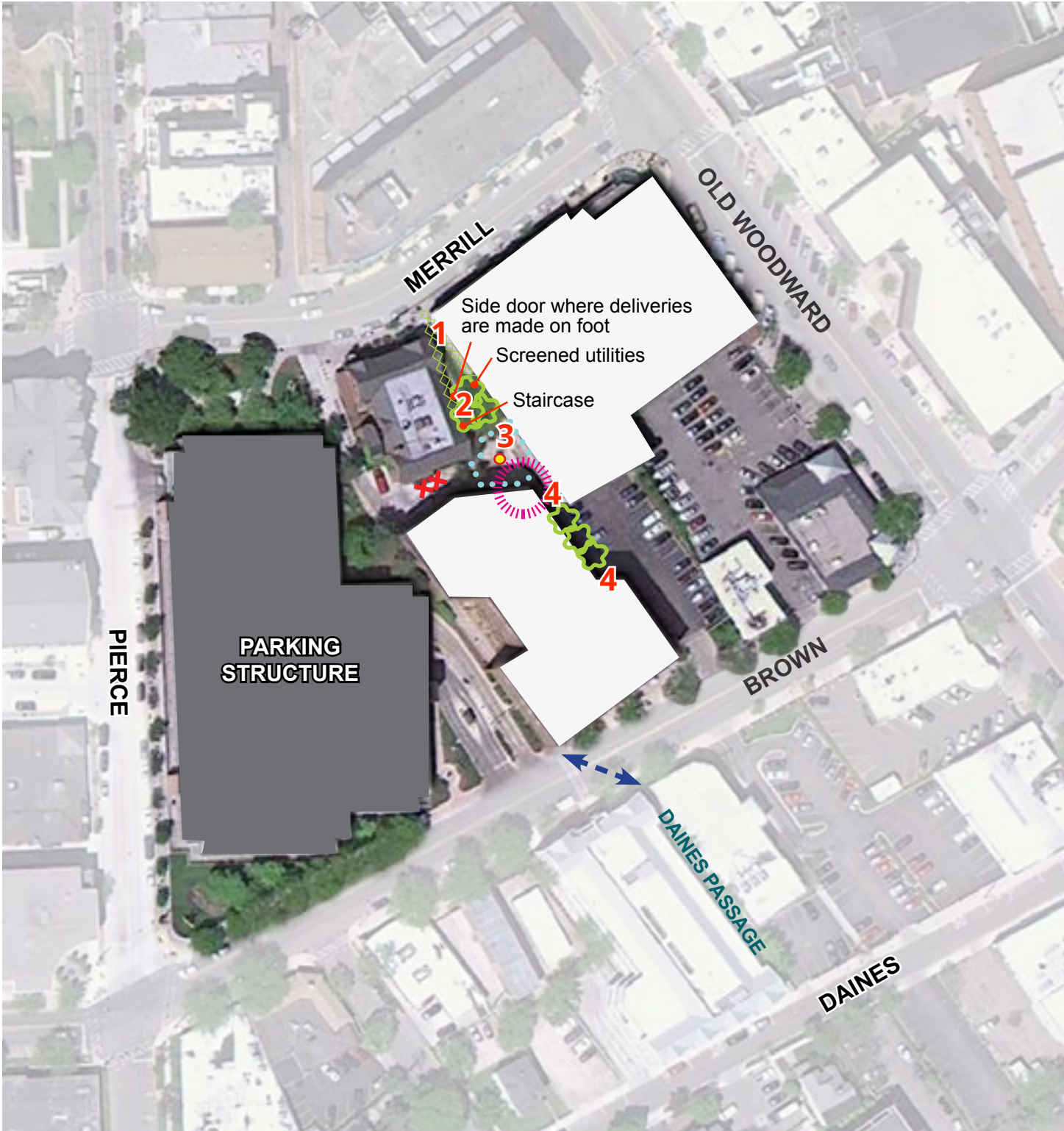
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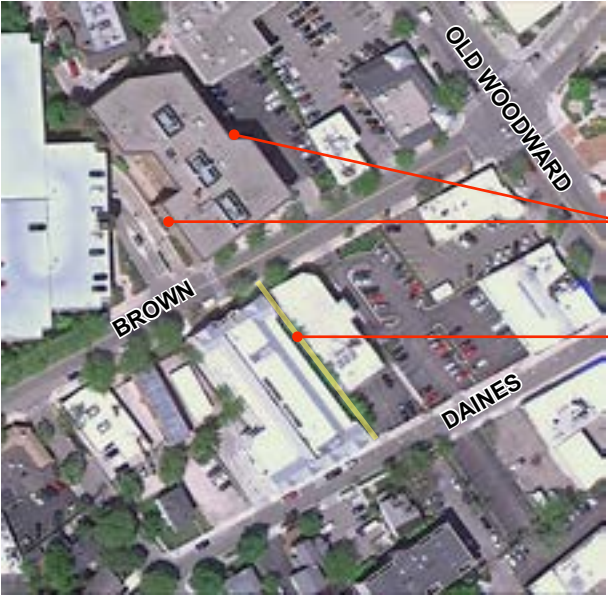


4



- Potential Crosswalk Connection
- Dumpster
- Street Lamps
- Landscaping
- Terminating Vista
- Plaza
- Trees





Edison Passage  
Daines Passage

EXISTING CHARACTERISTICS

- CLASSIFICATION: Connecting
- 2016 PLAN TYPE: Passage
- WIDTH: Approximately 12 feet wide
- SURFACE: Aggregate with brick accents
- SURFACE CONDITION: Good
- EXISTING SERVICES: None
- SCREENING: N/A
- VEHICLES: None, exclusively a pedestrian passage
- BICYCLE FACILITIES: No existing facilities
- LIGHTING: Wall-mounted lights
- FURNITURE: None
- PLAZA/ GATHERING SPACE: No
- LANDSCAPING: Trees, shrubs, planters and flowers
- PEDESTRIAN SCALED ARCHITECTURE: Windows along both sides of the passage
- OUTDOOR COMMERCIAL USES: None
- SIGNAGE: None
- WAYFINDING SIGNAGE: None
- VISUAL FEATURES/ ART: Nicely landscaped
- OTHER NOTES: Well-maintained pedestrian passage

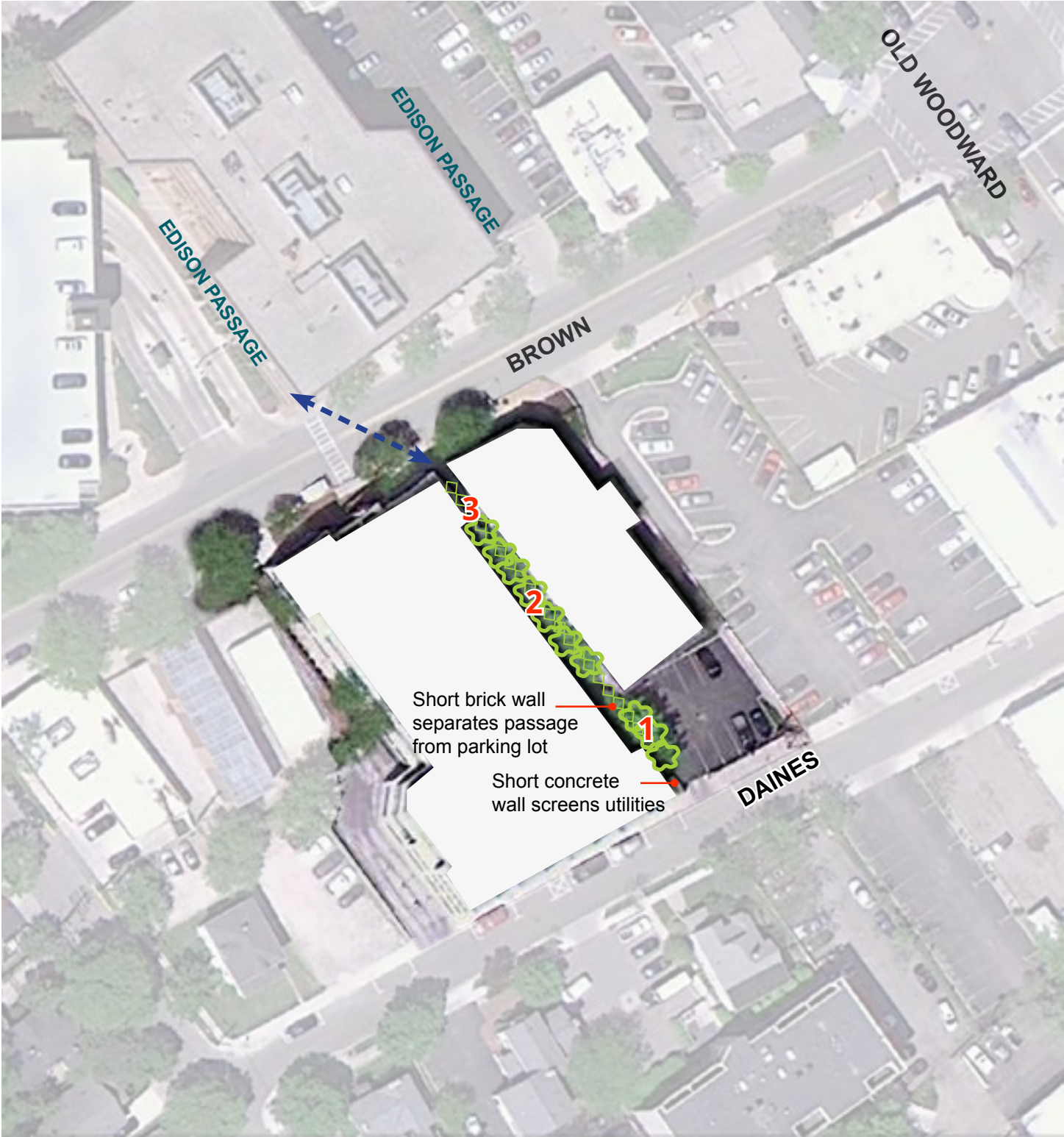
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2



3



- Potential Crosswalk Connection
- Landscaping
- Trees





Henrietta Alley

EXISTING CHARACTERISTICS

- CLASSIFICATION: Active
- 2016 PLAN TYPE: Alley
- WIDTH: Approximately 25 feet wide
- SURFACE: Concrete
- SURFACE CONDITION: Good
- EXISTING SERVICES: Trash & deliveries
- SCREENING: None
- VEHICLES: Cars & trucks
- SPEED LIMIT: Not posted
- PARKING: “No Parking in Alley” sign
- BICYCLE FACILITIES: No existing facilities
- LIGHTING: Wall-mounted lights
- FURNITURE: None
- PLAZA/ GATHERING SPACE: No
- LANDSCAPING: None
- PEDESTRIAN SCALED ARCHITECTURE: Back doors of businesses and some windows
- OUTDOOR COMMERCIAL USES: None
- SIGNAGE: One business with its name on the back door
- WAYFINDING SIGNAGE: None
- VISUAL FEATURES/ ART: Interesting mural on the back of one building
- OTHER NOTES: This is a well-maintained & wide alley that is well-lit in natural light

1



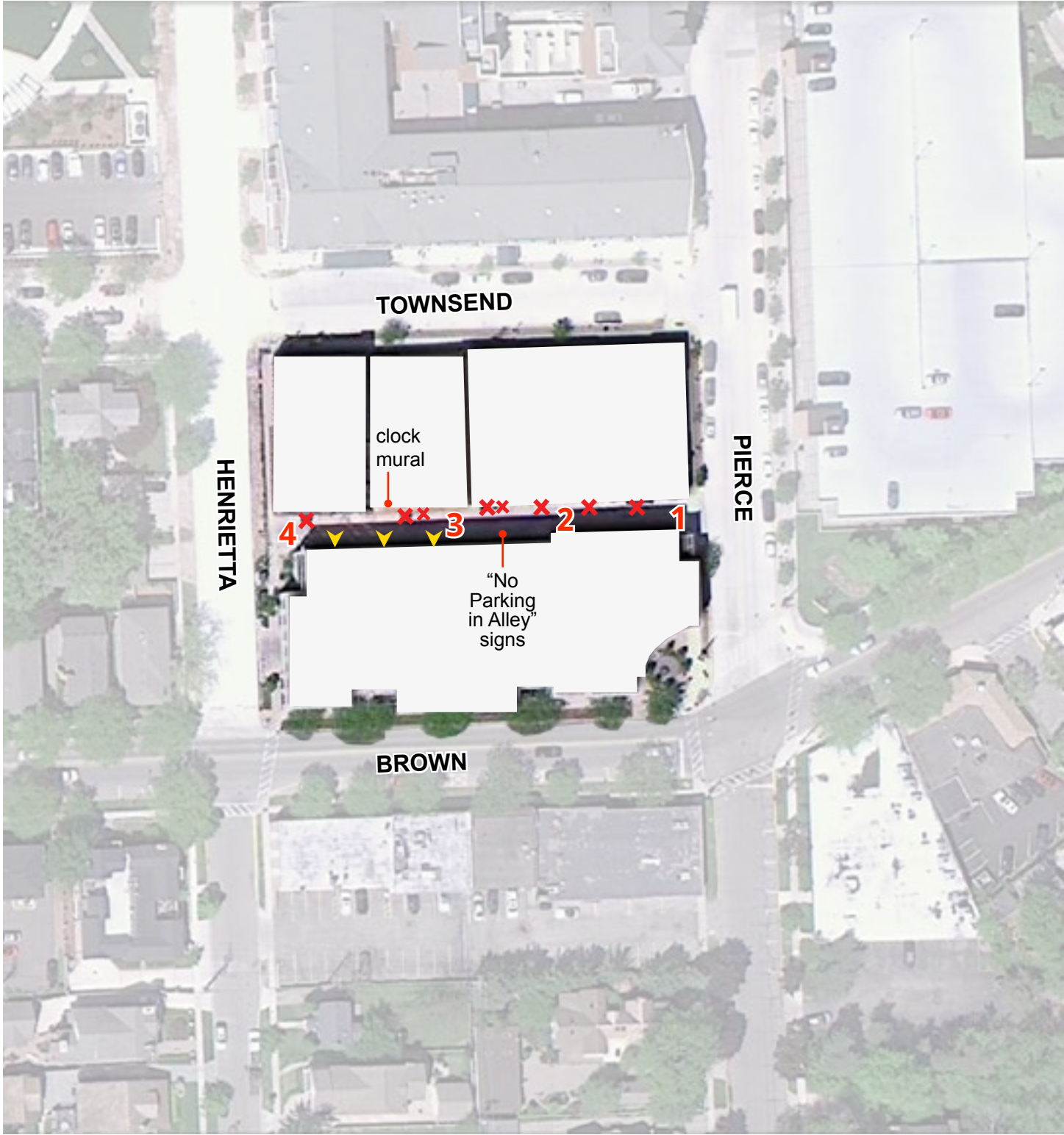
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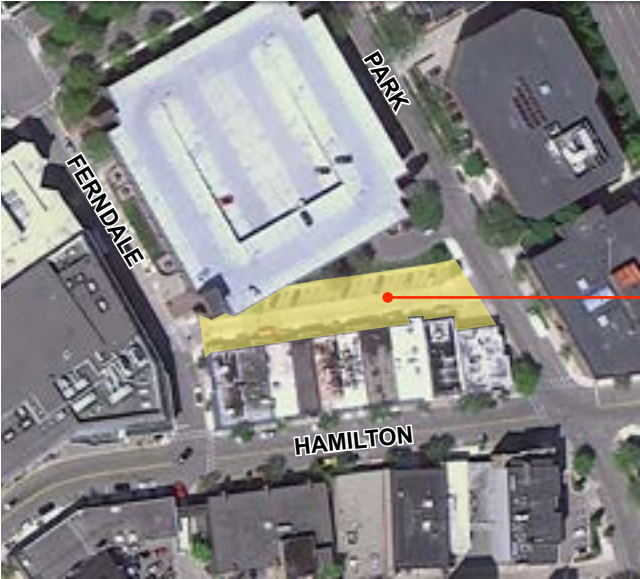


4



- X Dumpsters & Recycle Bins
- Yellow arrowhead Entrance for covered parking area





N. Hamilton Alley

1



2

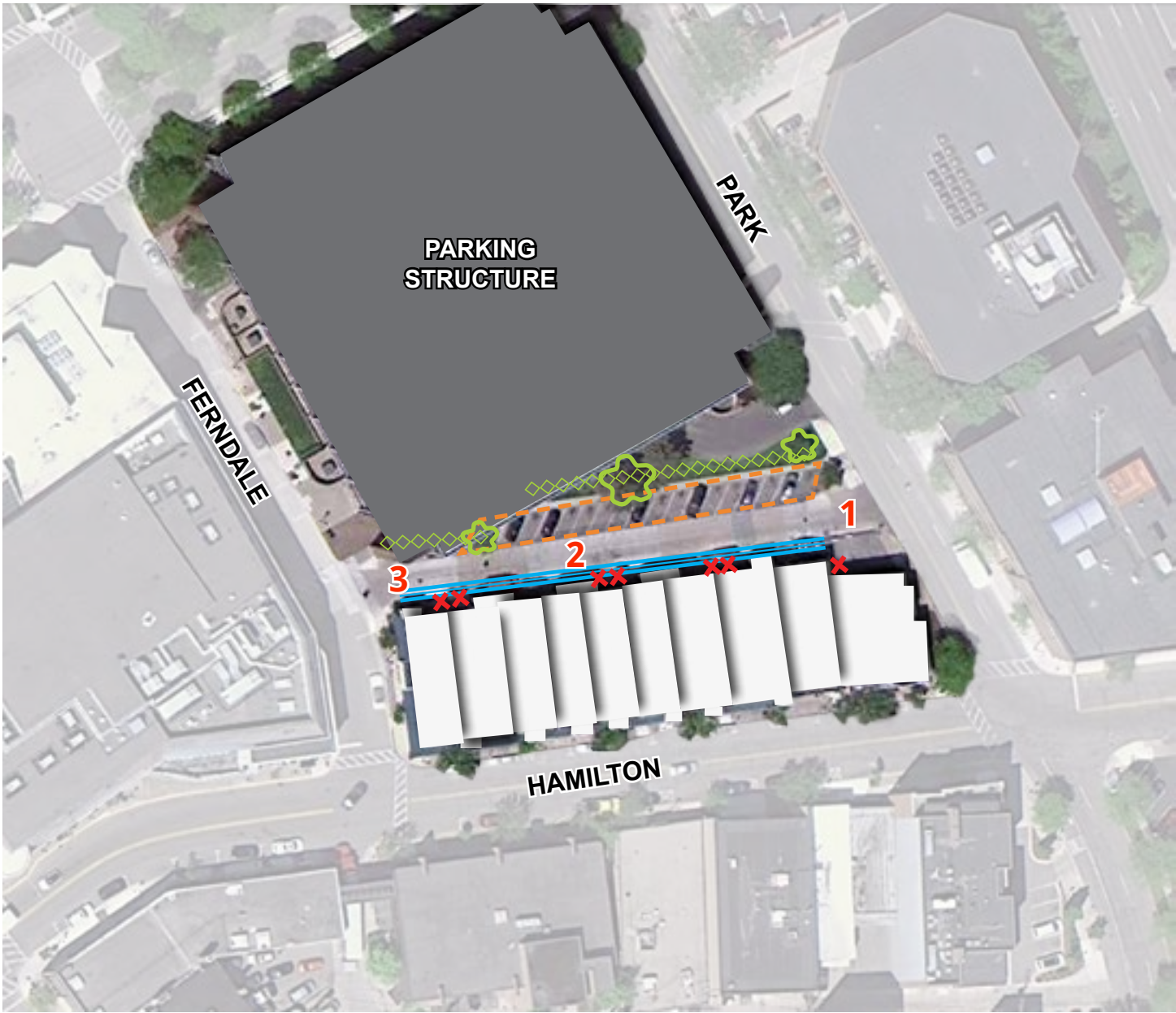


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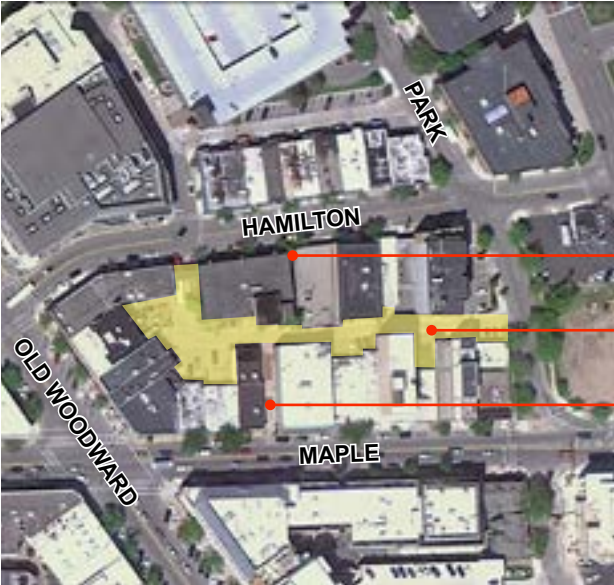
EXISTING CHARACTERISTICS

- CLASSIFICATION:** Active
- 2016 PLAN TYPE:** Alley
- WIDTH:** Approximately 30 feet wide excluding the angled parking area
- SURFACE:** Concrete & asphalt
- SURFACE CONDITION:** OK
- EXISTING SERVICES:** Trash & deliveries
- SCREENING:** None
- VEHICLES:** Cars & trucks
- SPEED LIMIT:** Not posted
- PARKING:** “No Parking in Alley” signs, parallel parking occurring on the south side and angled parking spaces on the north side
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** Recessed lighting above business doors
- FURNITURE:** None
- PLAZA/ GATHERING SPACE:** No
- LANDSCAPING:** Trees and other plantings along the side of the alley adjacent to the parking structure
- PEDESTRIAN SCALED ARCHITECTURE:** The businesses have ample signage on the facade facing the alley and glass doors that are welcoming back entrances for pedestrians
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** Businesses have substantial signage on the facade facing the alley
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** Very open & inviting alley
- OTHER NOTES:** This alley has great potential for outdoor dining, events and sales



- Dumpsters
- Cars parallel park here
- Angled Parking
- Landscaping
- Trees





Commonwealth  
Passage  
S. Hamilton / E.  
Maple Alley  
Social  
Passage

EXISTING CHARACTERISTICS

- CLASSIFICATION:** Active
- 2016 PLAN TYPE:** Alley
- WIDTH:** Approximately 18 feet wide
- SURFACE:** Asphalt
- SURFACE CONDITION:** OK in some areas, poor in others
- EXISTING SERVICES:** Trash & deliveries
- SCREENING:** 1 dumpster enclosure built into a building, the rest of the receptacles are unscreened
- VEHICLES:** Cars & trucks
- SPEED LIMIT:** Not posted
- PARKING:** “No Parking in Alley” signs, parallel parking occurs as well as perpendicular parking
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** Small wall-mounted lights
- FURNITURE:** None
- PLAZA/ GATHERING SPACE:** Small plaza with City benches adjacent to the alley
- LANDSCAPING:** Green wall, plantings near alley entrances & small landscaped areas throughout the alley
- PEDESTRIAN SCALED ARCHITECTURE:** Back doors of businesses and some windows
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** A few businesses have their names on their back walls
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** Covered elevated walkway adjacent to Hamilton & some interesting brick work on buildings
- OTHER NOTES:** This alley could use some aesthetic upgrades and better delineation for parking, deliveries & pedestrian traffic

1



2



3



4



5



- |                                |                             |
|--------------------------------|-----------------------------|
| Perpendicular Parking          | Terminating Vista           |
| Dumpsters & Recycle Bins       | Green Wall                  |
| Potential Crosswalk Connection | Social Passage              |
| Trees                          | Commonwealth Passage        |
| Landscaping                    | Cars parallel park here     |
| Dumpster Enclosure             | Garage doors for townhouses |
| Plaza                          |                             |





Commonwealth  
Passage  
S. Hamilton / E.  
Maple Alley  
Social  
Passage

1



2



3



EXISTING CHARACTERISTICS

- CLASSIFICATION:** Destination
- 2016 PLAN TYPE:** Passage
- WIDTH:** Approximately 14 feet wide
- SURFACE:** Concrete sidewalk
- SURFACE CONDITION:** Excellent
- EXISTING SERVICES:** None
- SCREENING:** N/A
- VEHICLES:** None, exclusively a pedestrian passage
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** 2 City street lamps, Social Bistro provides lighting in outdoor seating area, 1 wall-mounted light fixture
- FURNITURE:** City newsrack, outdoor seating area for Social Bistro
- PLAZA/ GATHERING SPACE:** Outdoor seating at Social Bistro
- LANDSCAPING:** Planter boxes on rails of outdoor seating area
- PEDESTRIAN SCALED ARCHITECTURE:** Outdoor seating area with awning, large windows on Social Bistro
- OUTDOOR COMMERCIAL USES:** Outdoor seating
- SIGNAGE:** Sign for JoS. A. Bank, decals on doors
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** The Social Bistro outdoor seating area provides a mix of vibrant colors & textures
- OTHER NOTES:** This passage could be a good location for public art installations



- Terminating Vista
- Street Lamps
- Social Bistro outdoor seating area
- Planter boxes along rail of outdoor seating area
- City newsrack
- Commonwealth Passage





Commonwealth Passage  
S. Hamilton / E. Maple Alley  
Social Passage

1



EXISTING CHARACTERISTICS

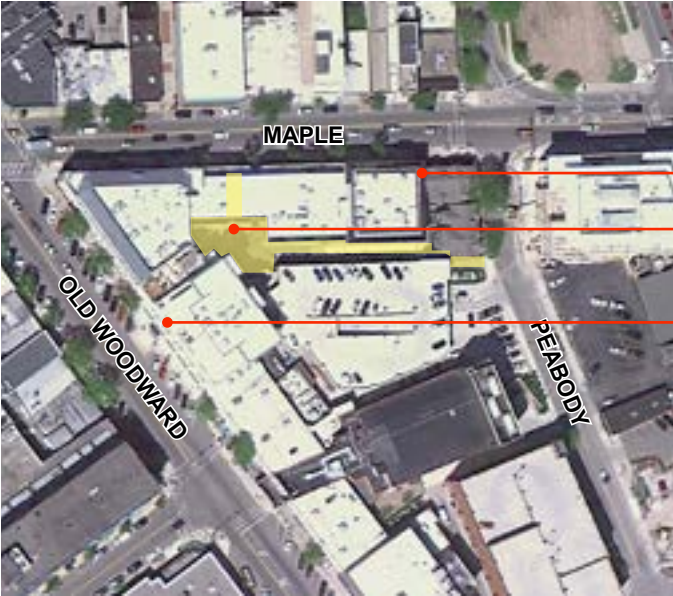
- CLASSIFICATION:** Connecting
- 2016 PLAN TYPE:** Passage
- WIDTH:** Approximately 5 feet wide
- SURFACE:** Concrete & red brick pavers
- SURFACE CONDITION:** Excellent
- EXISTING SERVICES:** None
- SCREENING:** N/A
- VEHICLES:** None, exclusively a pedestrian passage
- BICYCLE FACILITIES:** A rack on Hamilton adjacent to the passage
- LIGHTING:** 2 City street lamps
- FURNITURE:** None
- PLAZA/ GATHERING SPACE:** No
- LANDSCAPING:** Two trees, some woodchips on the edge of the passage
- PEDESTRIAN SCALED ARCHITECTURE:** A few windows on the Commonwealth Cafe building
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** None
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** Vista opportunity
- OTHER NOTES:** Well-maintained passage could benefit from more landscaping or other added visual interest

2



- Street Lamps
- Social Passage
- Trees





Shain  
Townhouse  
Passage

Cafe Via  
Passage  
& Plaza

Clark Hill  
Passage



EXISTING CHARACTERISTICS

**CLASSIFICATION:** The passage is Connecting & the plaza is a Destination

**2016 PLAN TYPE:** Passage

**WIDTH:** Approximately 20 feet wide in the passage, wider in the plaza area

**SURFACE:** Concrete & aggregate

**SURFACE CONDITION:** Excellent

**EXISTING SERVICES:** None

**SCREENING:** Utilities screened by landscaping on Peabody side

**VEHICLES:** None, exclusively a pedestrian passage

**BICYCLE FACILITIES:** No existing facilities

**LIGHTING:** Decorative hanging lamps in the covered passage & recessed lighting

**FURNITURE:** Small cafe tables, chairs & a fountain in the passage. Tables, chairs & a fireplace in the plaza area.

**PLAZA/ GATHERING SPACE:** Yes, Cafe Via Plaza

**LANDSCAPING:** Trees, shrubs & other plantings near the parking garage in the passage area, and raised planters in the plaza area.

**PEDESTRIAN SCALED ARCHITECTURE:** The passage has ornate decorative features for pedestrians, and the plaza adds to the pedestrian scaled design in the plaza area

**OUTDOOR COMMERCIAL USES:** Outdoor dining in the plaza area

**SIGNAGE:** Sign above the Cafe Via covered passage entrance & above the business doors along the uncovered passage

**WAYFINDING SIGNAGE:** None

**VISUAL FEATURES/ ART:** Beautiful fountain & fireplace, and decorative tiling in the Cafe Via passage



Terminating Vista

Cafe Via Covered Passage

Clark Hill Passage

Shain Townhouse Passage

Brick privacy wall

Trees

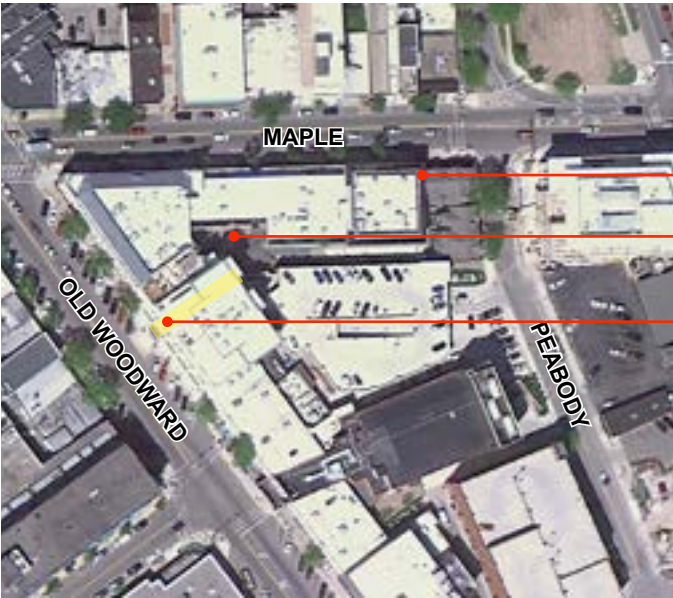
Landscaping

Landscaping screening utilities

Cafe Via Plaza / outdoor seating area

Fountain





- 1
- Shain Townhouse Passage
  - Cafe Via Passage & Plaza
  - Clark Hill Passage



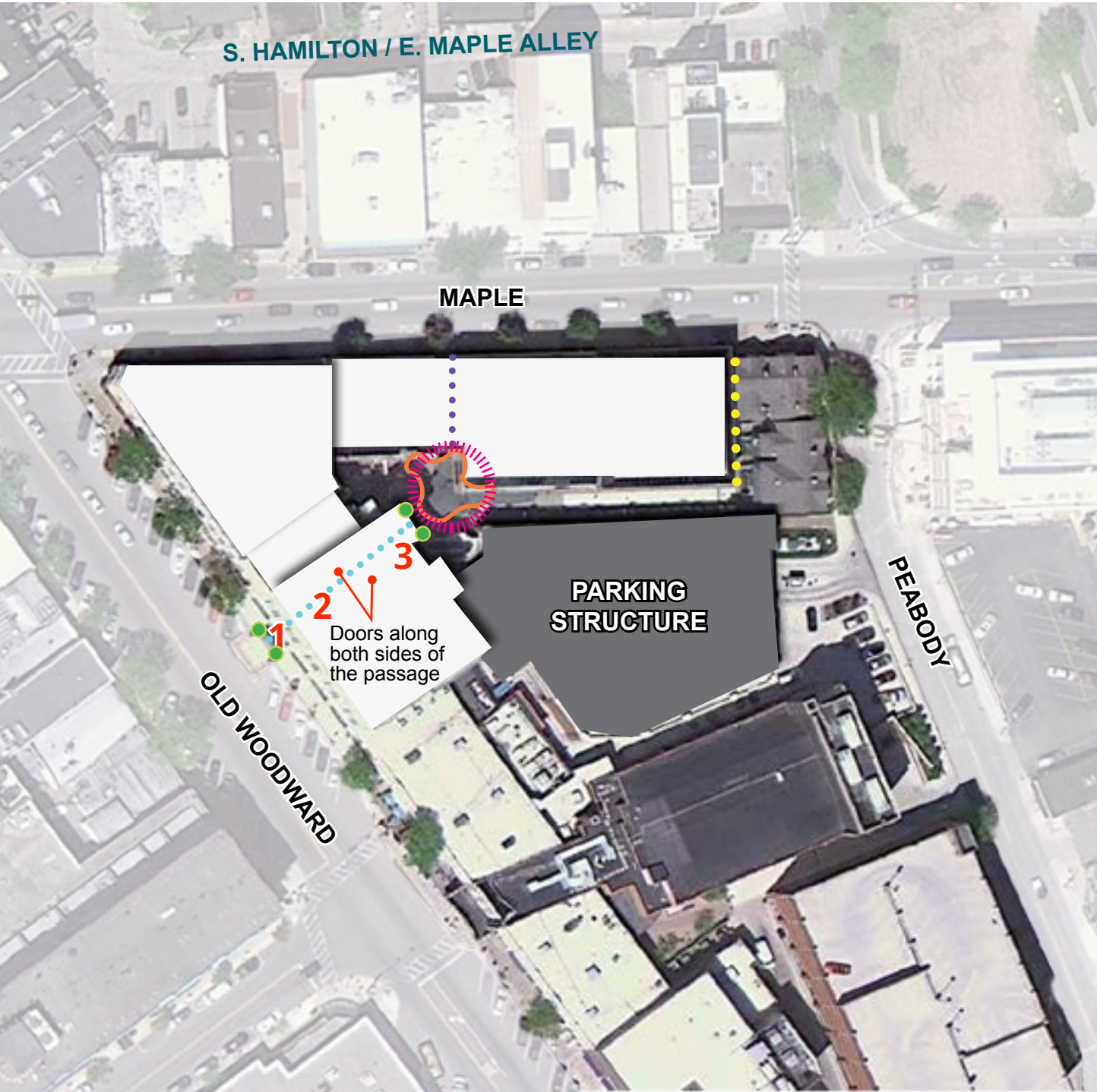
EXISTING CHARACTERISTICS

- CLASSIFICATION:** Connecting
- 2016 PLAN TYPE:** Passage
- WIDTH:** Approximately 20 feet wide
- SURFACE:** Aggregate & decorative stone
- SURFACE CONDITION:** Excellent
- EXISTING SERVICES:** None
- SCREENING:** N/A
- VEHICLES:** None, exclusively a pedestrian passage
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** Recessed lighting in the ceiling of the covered passage
- FURNITURE:** None
- PLAZA/ GATHERING SPACE:** Adjacent to the Cafe Via Plaza
- LANDSCAPING:** Planters at entrances
- PEDESTRIAN SCALED ARCHITECTURE:** Doors along the covered passage
- OUTDOOR COMMERCIAL USES:** Adjacent to outdoor dining in the Cafe Via Plaza
- SIGNAGE:** Sign above the passage opening on Old Woodward, address number signs within passage
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** Cafe Via Plaza vista
- OTHER NOTES:** The passage is a little dark, it has potential as a site for public art installations

2

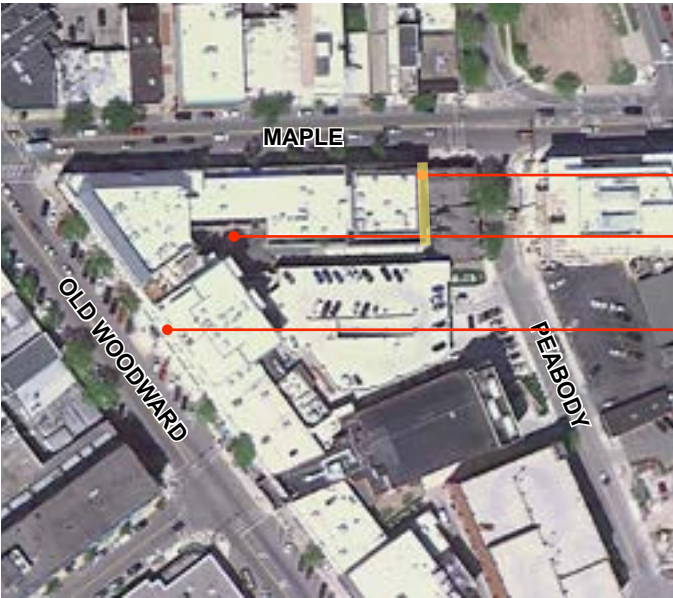


3



- Terminating Vista
- Cafe Via Plaza / outdoor seating area
- Cafe Via Covered Passage
- Clark Hill Passage
- Shain Townhouse Passage
- Planters





1

Shain Townhouse Passage

Cafe Via Passage & Plaza

Clark Hill Passage



EXISTING CHARACTERISTICS

- CLASSIFICATION:** Connecting
- 2016 PLAN TYPE:** N/A
- WIDTH:** Approximately 8 feet wide
- SURFACE:** Concrete & aggregate
- SURFACE CONDITION:** Excellent
- EXISTING SERVICES:** None
- SCREENING:** N/A
- VEHICLES:** None, exclusively a pedestrian passage
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** Recessed lighting on the 370 building
- FURNITURE:** None
- PLAZA/ GATHERING SPACE:** Near the Café Via Plaza
- LANDSCAPING:** Green walls & small plantings
- PEDESTRIAN SCALED ARCHITECTURE:** Large windows on the 370 building and townhouse steps & entrances
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** Business signage
- WAYFINDING SIGNAGE:** Sign for the door to Lippit O’Keefe
- VISUAL FEATURES/ ART:** Green walls
- OTHER NOTES:** A well-maintained and pleasant passage

2



3



- Terminating Vista
- Cafe Via Plaza / outdoor seating area
- Cafe Via Covered Passage
- Clark Hill Passage
- Shain Townhouse Passage
- Green Wall
- Landscaping
- Planters



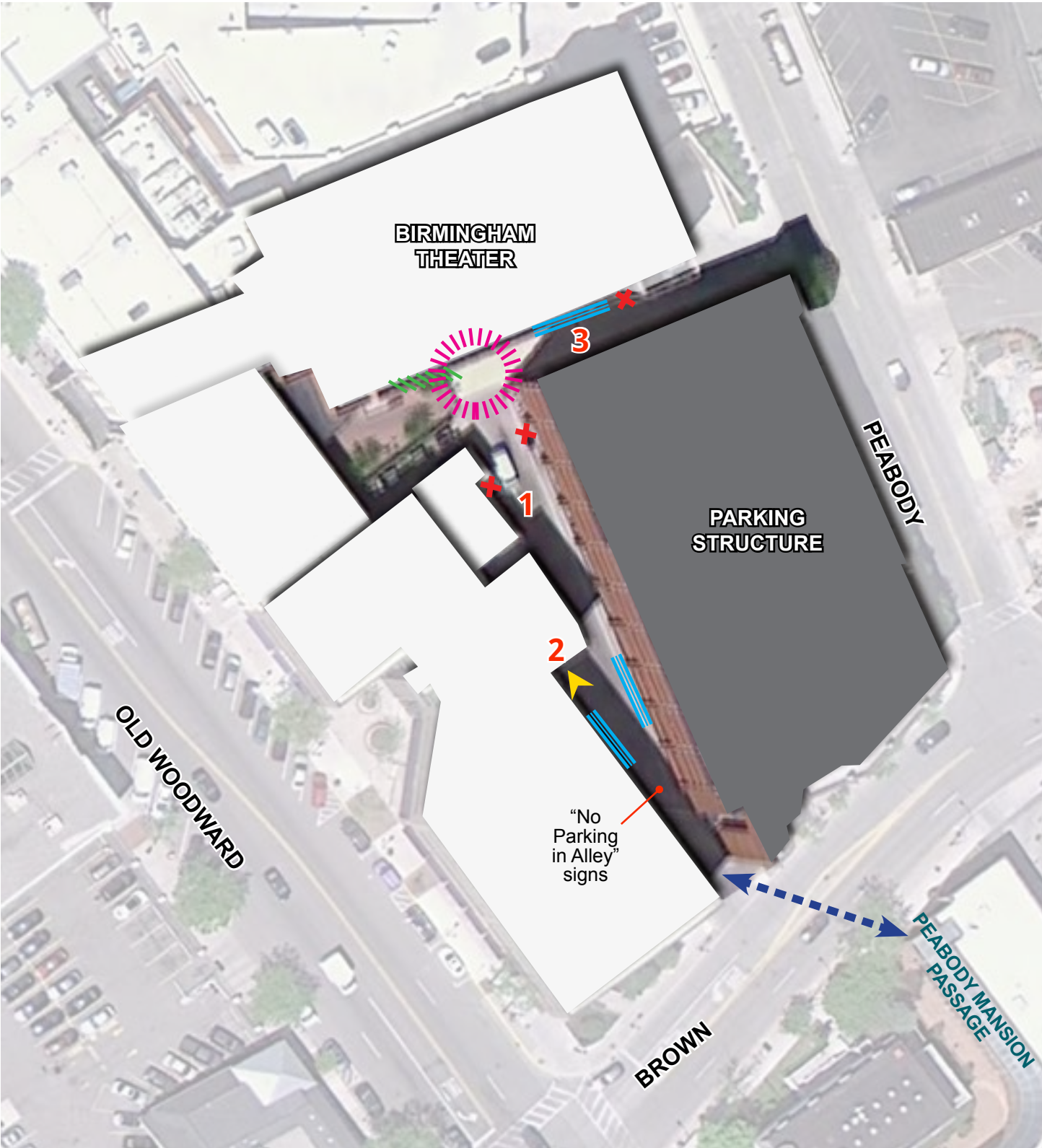
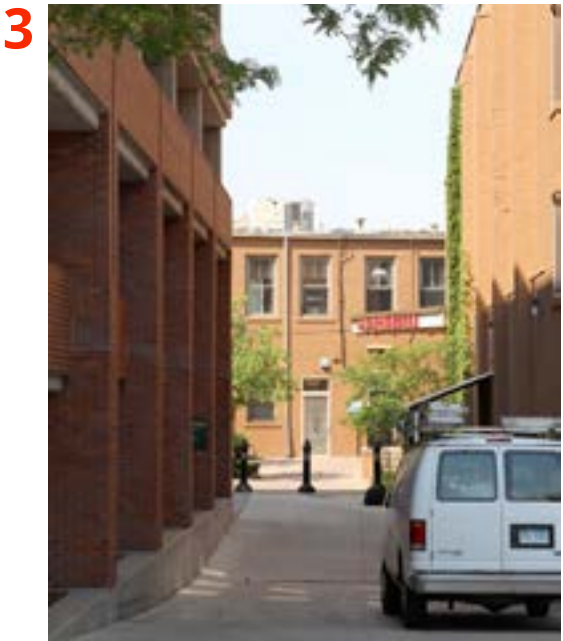


Peabody Alley  
Peabody Plaza

Peabody Mansion Passage

EXISTING CHARACTERISTICS

- CLASSIFICATION:** Active
- WIDTH:** Approximately 15 feet on Peabody side, wider in areas off of Brown
- SURFACE:** Concrete
- SURFACE CONDITION:** OK
- EXISTING SERVICES:** Trash & deliveries
- SCREENING:** Utilities screening area. Dumpsters are not enclosed
- VEHICLES:** Cars and trucks
- SPEED LIMIT:** Not posted
- PARKING:** “No Parking in Alley” signs, however, parallel parking occurs
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** Small wall-mounted lights
- FURNITURE:** No
- PLAZA/ GATHERING SPACE:** Yes
- LANDSCAPING:** Green wall
- PEDESTRIAN SCALED ARCHITECTURE:** Back door of a business
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** One business with its name on the back door
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** Plaza when looking from Peabody; opportunity to create a strong terminating vista from Brown
- OTHER NOTES:** This alley could benefit from more clear delineation of pedestrian, parking & service uses. The alley could also benefit from an enhanced terminating vista opportunity.



- |                               |                                |
|-------------------------------|--------------------------------|
| Green Wall                    | Potential Crosswalk Connection |
| Garage Entrance/ Loading Dock | Terminating Vista              |
| Cars parallel park here       | Dumpsters                      |





Peabody Alley  
Peabody Plaza

Peabody Mansion Passage

1

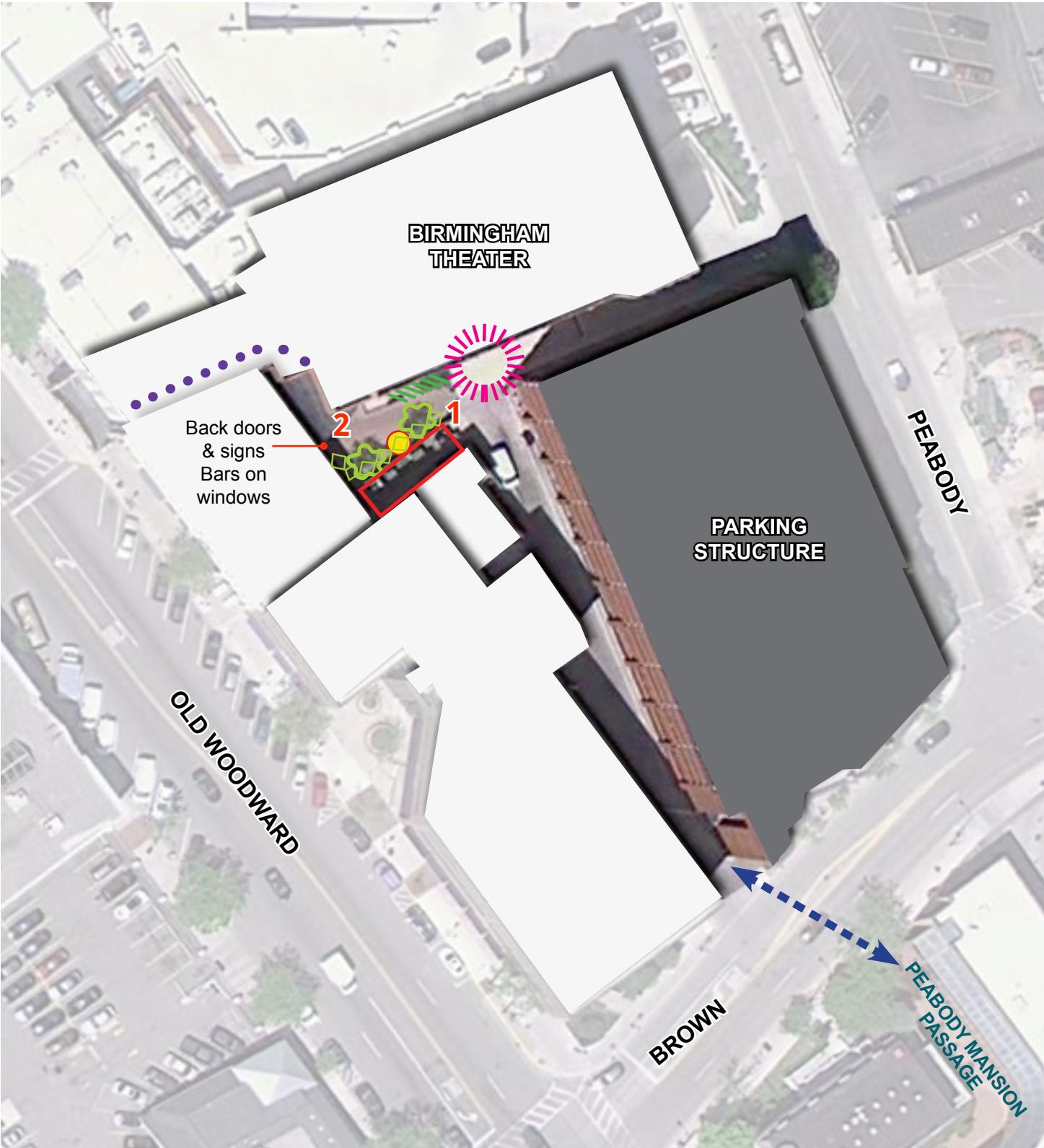


2



EXISTING CHARACTERISTICS

- CLASSIFICATION:** Destination
- WIDTH:** Varies
- SURFACE CONDITION:** Excellent
- EXISTING SERVICES:** No
- SCREENING:** Utilities enclosure adjacent to the plaza, dumpsters are not screened
- VEHICLES:** No, bollards prevent vehicles from entering the plaza
- PARKING:** No
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** 1 City street lamp, wall-mounted lights above business doors
- FURNITURE:** No
- PLAZA/ GATHERING SPACE:** Yes
- LANDSCAPING:** Green wall and a few trees, shrubs, flowers & other plantings
- PEDESTRIAN SCALED ARCHITECTURE:** Back doors of businesses, windows with bars on the first floor, theater entrance
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** Decals on business back doors & second floor windows, and a sign on theater overhang
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** Pedestrian-scaled design of plaza
- OTHER NOTES:** The movie theater can be used as a public cut through to the plaza and Peabody Alley. Minor changes could be made to this plaza to make it a livelier gathering space, such as adding seating.



- Street Lamp
- Green Wall
- Trees
- Terminating Vista
- Potential Crosswalk Connection
- Landscaping
- Screening Structure/Enclosure
- Public pathway through the Birmingham Theater





Peabody Alley & Plaza

Peabody Mansion Passage

EXISTING CHARACTERISTICS

- CLASSIFICATION:** Connecting
- WIDTH:** Approximately 16 feet wide
- SURFACE:** Red brick pavers
- SURFACE CONDITION:** Excellent
- EXISTING SERVICES:** No
- VEHICLES:** None, exclusively a pedestrian passage
- PARKING:** No
- BICYCLE FACILITIES:** No existing facilities
- LIGHTING:** 4 City street lamps & 3 wall-mounted lights
- FURNITURE:** 7 City benches that wrap around tree trunks
- PLAZA/ GATHERING SPACE:** Yes, seating along passage
- LANDSCAPING:** Bushes, trees & flowers
- PEDESTRIAN SCALED ARCHITECTURE:** Large windows on the office building, Victorian Era architectural features on Peabody Mansion, Powerhouse Gym entrance adjacent to the passage
- OUTDOOR COMMERCIAL USES:** None
- SIGNAGE:** Decals on the glass doors of businesses
- WAYFINDING SIGNAGE:** None
- VISUAL FEATURES/ ART:** Large clock & planters on pillars near Old Woodward
- OTHER NOTES:** Well-maintained and visually interesting passageway

1



2



3



- Street Lamps
- Landscaping
- Potential Crosswalk Connection
- Terminating Vista
- Trees



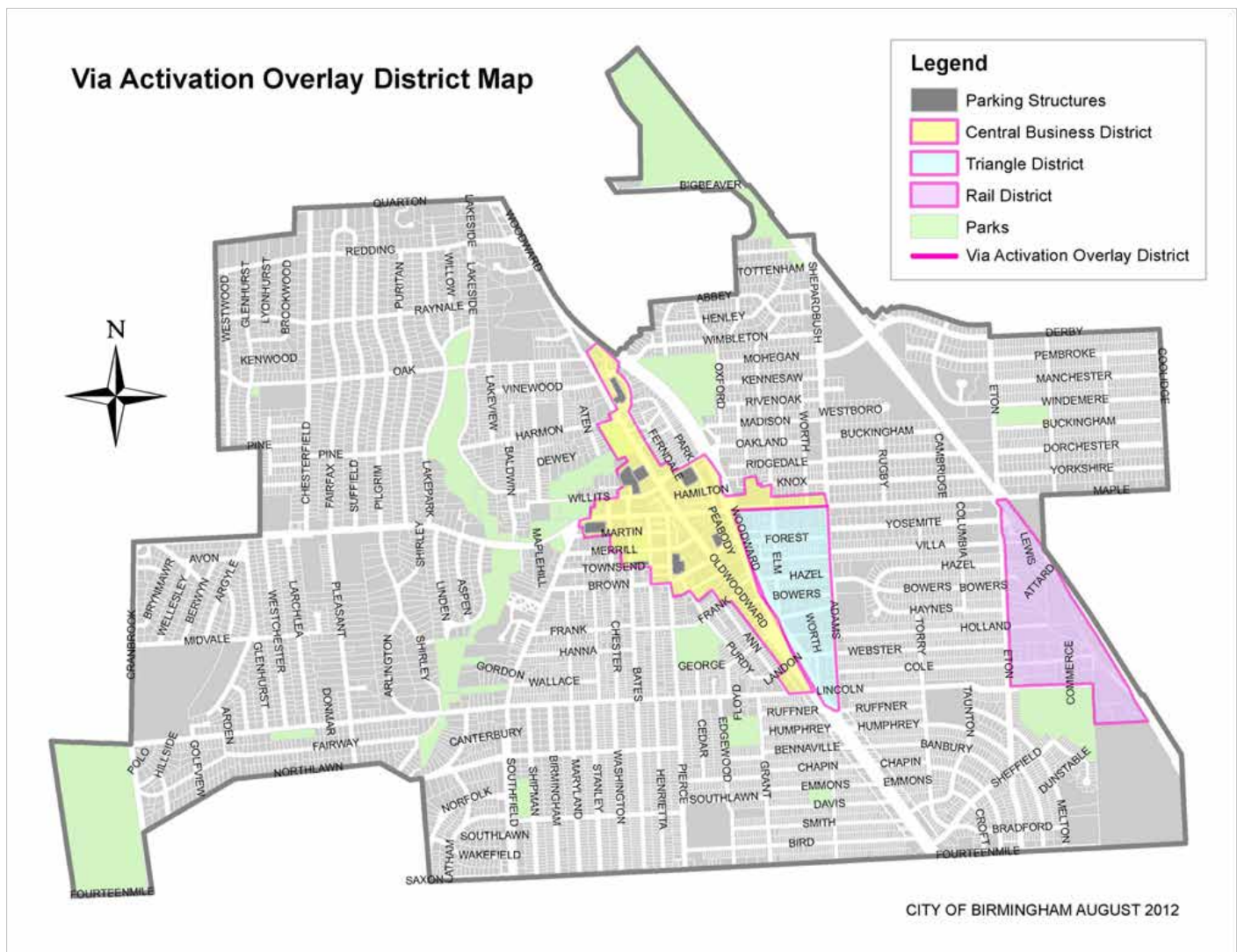
## 3.13 Purpose

The purpose of the Via Activation Overlay District is to:

- Recognize the role and character of vias in creating a fine grain urban realm and improving walkability;
- Encourage and direct development within the boundaries of the Via Activation Overlay District and implement the Activating Urban Space: A Strategy for Alleys & Passages;
- Encourage a form of development in vias that will achieve the physical qualities necessary to enhance, activate and re-imagine unique urban spaces in Birmingham;
- Encourage the improvement of building facades adjoining vias and ensure the use of pedestrian scaled architectural details; and
- Encourage first floor building uses to extend into and engage users of vias.

## 3.14 Applicability

- The Via Activation Overlay District shall be an overlay district that applies to all existing and future vias in all zoning districts within the areas identified below:



# Via Activation Overlay District

- B. Use and development of land within the Via Activation Overlay District shall be regulated as follows:
1. Any existing use shall be permitted to continue and the use shall be subject to the underlying zoning requirements and not the Via Activation Overlay District.
  2. Where an existing use within a building is proposed to be expanded by more than 50% of its size, the use shall be subject to the building use standards of the Via Activation Overlay District to the maximum extent practical, as determined by the Planning Board.
  3. Any expansion to an existing building that expands the area of the building by more than 40% of the existing building area shall subject the entire building to the requirements of the Via Activation Overlay District and shall be brought into compliance with the requirements of the Via Activation Overlay District to the maximum extent practical, as determined by the Planning Board.
  4. Where a new building is proposed, the use and site shall be subject to the requirements of the Via Activation Overlay District.
- C. Development applications within the Via Activation Overlay District shall be required to follow the Site Plan Review and Design Review standards contained in Article 7.
- D. Activating Urban Space: A Strategy for Alleys & Passages has been adopted that divides Birmingham's alleys and passages into distinct classifications. Each classification designated in the Activating Urban Space: A Strategy for Alleys & Passages, prescribes requirements for building form, design and use as follows:
- Active Via: An alley with a mix of uses and activities - used by pedestrians/bicyclists for travel, some commercial activities, pausing for respite, outdoor dining, etc. with shared use by service vehicles (deliveries, trash removal, etc.).
  - Connecting Via: A passage that provides a through-block connection for pedestrians and/or bicyclists only.
  - Destination Via: Alleys or passages that people are drawn to as a destination for participating in cultural activities, commercial activities, recreational activities, special events, and other activities.

Alley and passage classifications for Birmingham's existing network within the Via Activation Overlay District are identified as follows:



- E. While not required, any improvements to vias or uses for vias that are permitted in the Via Activation Overlay District regulations are also permitted in existing or future vias located throughout the City in all zoning districts, with approval of the Planning Board.

### 3.15 General Standards

- A. The design of buildings and sites adjacent to vias shall be regulated by the provisions of the Via Activation Overlay District.
- B. Section 3.13 to Section 3.16 shall govern the design of all privately owned land within the Via Activation Overlay District.
- C. The provisions of the Via Activation Overlay District, when in conflict with other articles of the Zoning Ordinance, shall take precedence.
- D. The provisions of the Via Activation Overlay District shall specifically supersede all standards for the underlying zone district with regards to signage, landscaping, side and rear setbacks, design and use for all portions of buildings and sites directly adjoining a via.
- E. The provisions of the Building Code and building regulations in Chapter 22 of the Birmingham City Code and the historic preservation regulations in Chapter 62 of the Birmingham City Code, when in conflict with the Via Activation Overlay District, shall take precedence.
- F. The design of community buildings and public improvements within the Via Activation Overlay District shall not be subject to the specific standards of this article, but shall be subject to review by the Planning Board.

### 3.16 Specific Standards

- A. Permitted and Prohibited Uses: To enhance the amenity and character of vias, to enhance visual interest and encourage surveillance of urban spaces, active uses should be provided at the ground floor level along the majority of the edges of buildings located adjacent to vias. While buildings should accommodate these uses, care must be taken to avoid conflict with pedestrian movement in the via. To specifically encourage the activation of vias, the following uses are permitted within Active, Connecting, and Destination Vias:
  - 1. Retail sales and display;
  - 2. Public plazas and informal gathering spaces;
  - 3. Art display; and
  - 4. Community Gardens.

In addition, the following uses are also permitted within Connecting and Destination Vias:

- 1. Outdoor dining; and
- 2. Special Events.

The following are specifically prohibited in all vias:

- 1. Automatic food and drink vending machines outdoors;
- 2. Drive-in facilities or any commercial use that encourages patrons to remain in their automobiles while receiving goods or services;
- 3. Unscreened trash receptacles; and
- 4. Unscreened outdoor storage.

- B. Parking Requirements: To encourage active use of vias, the following parking standards apply in vias:
  - 1. Additional parking spaces shall not be required for the square footage of any via used for any of the permitted uses listed in Section 3.16(A) above that extend from inside buildings into a via.
  - 2. Openings for parking garage access from vias shall repeat the same rhythm and proportion as the rest of the building to maintain a consistent look on all facades facing a via.
- C. Side and Rear Setbacks: Buildings and their elements shall be placed on lots as follows:
  - 1. Side setbacks shall not be required where side lot lines adjoin a via;
  - 2. A minimum 10 foot rear yard setback must be provided from the midpoint of the via, except that the Planning Board may allow this setback to be reduced or eliminated; and
  - 3. Awnings and/or canopies are encouraged to project into a via, but must provide at least 8 feet of clearance above the via, and may not encroach the clear zone for service vehicles.
- D. Multi-Modal Access: To encourage broad use and multi-modal, 24 hour access to vias as corridors for local travel and social interaction, while providing safe travel for all users, the following standards apply:

1. To maintain access for service vehicles, a 10 foot wide clear zone (extending 22 feet in height), must be maintained for all Active Vias;
  2. In Active via, signs must be posted indicating:
    - a) Entire via is a shared access corridor, and
    - b) Maximum speed for motor vehicles is 5 mph (walking pace);
  3. In all vias, the use of vehicle parking gates, fencing and other similar barriers to access are prohibited; and
  4. The addition of crosswalks is encouraged where vias intersect streets, particularly in locations with another via entry on the other side of the street.
- E. Viascape Standards: To enhance the appearance of vias without stifling creative design, the following standards apply:
1. For publicly owned vias:
    - a. Broom finish concrete with exposed aggregate paving accents must be used for visual interest in all vias;
    - b. All furniture and finishes used are required to match the streetscape requirements of the district in which the via is located, except if located within an area leased for private use; and
    - c. Furniture placement should consider available space, potential for use and proximity to activity centers;
  2. For privately owned vias:
    - a. Paving materials and furniture may be selected to suit adjacent private development, subject to approval by the appropriate board or commission; and
    - b. Furniture placement should consider available space, potential for use and proximity to activity centers.
  3. In all vias, chain link enclosures of stairs, windows, entrances or other features, and other similar barriers are prohibited.
- F. Landscaping: To enhance the appearance and drainage of all vias, the following standards apply:
1. The planting of Boston Ivy and /or other climbing vegetation is encouraged on all facades of buildings adjoining a via. Planting pockets must extend a minimum of 9 inches from the edge of all building facades, and must exceed 2 feet in length;
  2. The planting of trees and shrubs is required along the edge of vias where the reviewing board or commission determines that sufficient space exists;
  3. Where sufficient space is not available for planting beds, the use of planter boxes, trellises and/or green screens are encouraged; and
  4. The use of porous concrete and green pavers is encouraged.
- G. Lighting: To ensure the use of appropriate lighting for safety, security, visibility, and architectural enhancement, the following standards apply:
1. Via lighting must be provided by adjoining property owners where needed to ensure the safety of pedestrians. The need for such lighting and the type of lighting to be provided will be determined by the reviewing board or commission;
  2. Surface lighting of building facades lining a via is encouraged over freestanding pathway lighting;
  3. The scale, color, design and material of all luminaires must enhance the via in which it is located, as well as be compatible with the surrounding buildings and urban space; and
  4. Where lighting is used for architectural enhancement of building features, art or landscaping, appropriate methods shall be used to minimize reflection and glare.
- H. Design Standards: All portions of buildings and sites directly adjoining a via must maintain a human scale and a fine grain building rhythm that provides architectural interest for pedestrians and other users, and provide windows and doors overlooking the via to provide solar access, visual interaction and surveillance of the via. To improve the aesthetic experience and to encourage pedestrians to explore vias, the following design standards apply for all properties with building facades adjoining a via:
1. Blank walls shall not face a via. Walls facing vias shall include windows and architectural features customarily found on the front facade of a building, such as awnings, cornice work, edge detailing or decorative finish materials. Awnings shall be straight sheds without side flaps, not cubed or curved, and must be at least 8 feet above the via at the lowest drip edge;



2. First floor retail, restaurant and office uses are encouraged to be directly accessible to the public from adjoining vias;
  3. Glass shall be clear or lightly tinted only. Opaque applications shall not be applied to any glass surfaces facing a via unless specifically approved by the Planning Board to screen electrical, plumbing or mechanical equipment;
  4. Creative designs and bold use of color is encouraged; and
  5. Any building facade that terminates a view, as designated on the Via Activation Plan, shall provide distinct and prominent architectural features of enhanced character and visibility or artistic elements, which reflect the importance of the building's location and create a positive visual landmark within the via system.
- I. **Commercial Signage:** To encourage creativity, to add color and to activate the urban space in vias, the following sign standards apply for all properties with building facades immediately adjoining alleys or passages:
1. All doors adjoining alleys or passages are required to provide signage identifying the first floor business(es) contained therein;
  2. All first floor uses with rear or side entrances onto alleys or passages must provide pedestrian scaled projecting signs mounted perpendicular to the corresponding facade. One projecting sign is required for each facade with an entrance onto a via. Projecting signs may extend no more than 4 feet from the building facade, projecting banners may extend no more than 6 feet from the building facade, and neither may encroach the clear zone for service vehicles;
  3. The lowest point of all projecting signage must be a minimum of 8 feet above grade;
  4. Alley and passage commercial signage must be reviewed in accordance with the procedure contained in Article 2 of the Birmingham Sign Ordinance (Chapter 86 of the City Code), but is intended to be bolder and more graphic in nature than storefront signage; and
  5. The square footage of the required alley and passage commercial signage required in this section will not count against the maximum total signage permitted on the site.
- J. **Wayfinding Signage:** To encourage the use of all urban space by attracting businesses to vias, and by engaging pedestrians to explore vias, the following wayfinding sign standards apply for all properties with building facades immediately adjoining any entrance to a via:
1. A directory sign is required to be mounted on at least one of the building facades adjoining an entrance to a via. Directory signs must identify all businesses contained within or along a via. Where more than one building facade adjoins an entrance to a via, the board or commission reviewing the signage and/or site plan shall select the best facade(s) for this purpose;
  2. An approved City-standard passage wayfinding identification sign must be provided at each entrance to a via, and at all connection points where alleys or passages converge, intersect or end.
  3. All alley and passage wayfinding signage must be reviewed in accordance with the procedure contained in Article 2 of the Birmingham Sign Ordinance (Chapter 86 of the City Code); and
  4. The square footage of the required alley and passage wayfinding signage required in this section will not count against the maximum total signage permitted on site.

# Table B

Table B applies to the following districts:

PP 01 02 B1 B2 B2B B2C B3 B4 MX

TABLE B: PERMANENT BUSINESS SIGN STANDARDS					
Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Approved MX District Directory Sign in the Right-of-Way	Yes	18 square feet per side, 36 square feet total.  (Not counted toward total sign area)	Ground Sign 6 feet above grade.  If an approved MX District Directory ground sign is not possible, the Approved MX District Directory Wall sign may be used.  An approved wall sign that projects more than 3 inches from the building facade shall not be attached to the outer wall at a height of less than 8 feet above a public sidewalk and at a height of less than 15 feet above public driveways, alleys, and thoroughfares.	Internally Illuminated is Permitted.	1 sign per every 6 tenants.
Canopy Signs	Yes	No more than 33% of canopy valance area.	The canopy valance shall not be more than 9 inches in height.  Canopies may not extend from the wall at a height of less than 8 feet above a public right-of-way.	Not permitted.	N/A
Ground Signs	Yes	30 square feet per side, 60 square feet total.	No more than 8 feet above street level or above the adjoining ground, if such ground level is above the street level.	Permitted.	1 sign for a single building or structure that abuts 2 or fewer streets.  2 signs if such structure abuts 3 or more streets.
Indoor Neon "Open" Signs	No (See Section 1.05C[1].)	4 square feet (not counted toward total sign area.)	Installed no less than 5 feet and no greater than 7 feet above finished floor.	Permitted.	1 sign for 1 principal street frontage.  2 signs if 2 or more principal streets with multiple access to business.
Menu Signs	No	3 square feet (not counted toward total sign area.)	N/A	Not permitted.	1 sign.
Name Letter Signs	Yes	1 square foot for each linear foot of principal building frontage; for buildings with more than 100 linear feet of building frontage, the total area of all signs placed on walls other than the principal frontage shall not exceed 100 square feet.  For businesses with addresses on Woodward Avenue, the total shall not exceed 1.5 square feet of sign area for each linear foot of principal building frontage	24 inches; 36 inches for businesses with addresses on Woodward Avenue.  Name letter signs that project more than 3 inches from the building facade shall not be attached to the outer wall at a height of less than 8 feet above a public sidewalk or at a height of less than 15 feet above public driveways, alleys, and thoroughfares.	Non-historic District: Permitted.  Historic District: Only halo type backlighting or architecturally compatible exterior light fixtures.  Adjacent to Residential: No illuminated wall signs on side or rear of building.	Limited by area per frontage.
Portable Valet Signs	Yes	4 square feet per side, 8 square feet total.	N/A	Not permitted.	1 sign per establishment.

Table B continues on the following page.

# Table B (continued)

TABLE B: PERMANENT BUSINESS SIGN STANDARDS					
Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Projecting Signs (Post Mounted)	Yes	15 square feet per side, 30 square feet total.	No more than 8 feet above street level or above the adjoining ground, if such ground level is above the street level.	Permitted.	1 sign.
Projecting Signs (Wall Mounted)	Yes	7.5 square feet per side, 15 square feet total.	At the sign band and no less than 8 feet above grade.	Permitted.	Not within 20 feet of any other projecting sign; this shall not deny any place of business at least one projecting sign.
Rear Entry Signs	Yes	6 square feet (not counted toward total sign area).	N/A	Permitted.	1 sign.
Vacant Window Covering	No	Covering may fill entire window but text and/or letters contained in window covering may not exceed the permitted window signage allotment, See Table B, Window Signs (Business) for specific requirements.	N/A	Not Permitted	None
Wall Signs (General)	Yes	1 square foot for each linear foot of principal building frontage; for buildings with more than 100 linear feet of building frontage, the total area of all signs placed on walls other than the principal frontage shall not exceed 100 square feet.  For businesses with addresses on Woodward Avenue, the total shall not exceed 1.5 square feet of sign area for each linear foot of principal building frontage	3 feet; 4 feet for businesses with addresses on Woodward Avenue.  Sign shall not extend beyond first floor sign band.  Wall signs shall not be attached to the outer wall at a height of less than 8 feet above a public sidewalk and at a height of less than 15 feet above public driveways, alleys and thoroughfares.  Wall signs that project more than 3 inches from the building facade shall not be attached to the outer wall at a height of less than 8 feet above a public sidewalk or at a height of less than 15 feet above public driveways, alleys, and thoroughfares.	Non-historic District: Permitted.  Historic District: Only halo type backlighting or architecturally compatible exterior light fixtures.  Adjacent to Residential: No illuminated wall signs on side or rear of building	Limited by area per frontage.
Wall Signs (Principal)	Yes	1 square foot for each linear foot of principal building frontage.  For businesses with addresses on Woodward Avenue, the total shall not exceed 1.5 square feet of sign area for each linear foot of principal building frontage.	3 feet; 4 feet for businesses with addresses on Woodward Avenue.  Sign shall not extend beyond first floor sign band.  Wall signs shall not be attached to the outer wall at a height of less than 8 feet above a public sidewalk and at a height of less than 15 feet above public driveways, alleys and thoroughfares.  Wall signs that project more than 3 inches from the building facade shall not be attached to the outer wall at a height of less than 8 feet above a public sidewalk or at a height of less than 15 feet above public driveways, alleys, and thoroughfares.	Non-historic District: Permitted.  Historic District: Only halo type backlighting or architecturally compatible exterior light fixtures.  Adjacent to Residential: No illuminated wall signs on side or rear of building.	1 sign if a business fronts 1 street.  2 identical principal wall signs (provided the total of all signage does not exceed Section 1.04B: Combined Sign Area) if business fronts 2 streets.  Identical principal wall signs may be permitted on each building frontage (provided the total of all signage does not exceed Section 1.04B: Combined Sign Area) if business fronts 3 or more streets.
Window Signs (Business)	No	12 square feet per side, 18 per frontage for businesses with addresses on Woodward Avenue.	N/A	Not permitted.	Limited by area per frontage.

# Table B (continued) and Table C

TABLE B: TEMPORARY BUSINESS SIGN STANDARDS					
Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Advertising Rental, Sale or Lease Signs	Yes	8 square feet per side, 16 square feet total.	8 feet above grade for ground signs; No higher than height of sign band for wall signs.	Not permitted.	1 sign per street frontage, maximum of 2 signs.
New Business Signs	Yes	4 square feet per side, 8 square feet total.	4 feet.	Not permitted.	1 sign.
Portable Signs (Except the MX District-No Portable Signs Allowed)	Yes	4 square feet per side, 8 square feet total.	4 feet; Letters may not exceed 10 inches.	Not permitted.	1 sign.
Other Temporary Signs	Yes, if over 3 square feet.	10 square feet per side, 20 square feet total, or 30 square feet total per building if a multi-tenant building.	8 feet above grade for ground signs; No higher than height of sign band for wall signs.	Not permitted.	1 sign/tenant space; Maximum time period not to exceed 2 weeks in any 6 month period.

Table C applies to the following districts:

P

TABLE C: PARKING SIGN STANDARDS					
Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Parking District Signs	Yes	9 square feet per side, 18 square feet total.	8 feet.	Permitted.	No signs other than those designating entrance, exit and conditions of use.



2017 in order to clarify what uses are allowed in the first 20' of the first floor of a business.

- Current Areas of Study include:
  - Potentially reducing retail district boundaries to no more than 2 - 4 blocks in size, limiting the retail uses to 'true retail' on the first floor within in this core area, and then creating a secondary district within the downtown that could allow some quasi-retail and personal service uses.
  - Whether 20' of retail depth on the first floor is sufficient. Other communities studied have a range of 35' – 80' of retail depth on the first floor.
  - Whether office-type equipment should be allowed in the first 20' of retail depth.
  - Whether there should be a maximum dimension for permitted lobbies for hotels, offices and residential units within the Redline Retail District. The Zoning Ordinance currently allows 50% of the first floor retail space to be used for lobbies, but in large buildings this allows lobbies to occupy a large expanse of the storefront space, thus creating a less active and less visually attractive section of storefront that breaks up the retail area.
  - An evaluation of current properties with buildings located in the Redline Retail District that have not been constructed to support first floor retail uses, and whether those buildings should be grandfathered in.
- City Staff is currently going through the Redline Retail District block-by-block in order to provide the Planning Board with sufficient information to carry out these studies.

Commissioner DeWeese said:

- Current properties located in the Redline Retail District that do not support first floor retail uses should be grandfathered in until major renovations or building demolition occur. Concomitantly, any buildings that can accommodate first floor retail should be strictly required to do so.
- The retail depth requirements should be increased beyond 20'.

Commissioner Hoff said window coverings should be addressed in order to promote first floor retail displays that provide interest to the street.

Planning Director Ecker told Commissioner Hoff that windows can no longer be blocked by shelving unless the retail space was grandfathered in, but window treatments are currently still allowed due to glare from the sun. Planning Director Ecker stated that this would be re-addressed by the Planning Board as part of the study of the retail depth requirements.

Commissioner Nickita said he is more concerned about the products that occupy the first 20' of retail, as opposed to the depth of the retail space. He would like to see the issue studied.

## **2. Alley Regulations**

Planning Director Ecker reported that:

- An Alleys and Passageways Plan was done in 2012 to try and activate the City's alleyways. The Plan delineates three types of alleyways, or 'vias':
  - Active vias, for cars and people;
  - Connecting vias, which are for bicycles and pedestrians only; and,

- Destination vias, with the goal of creating a public gathering space or plaza.
- There have been concerns about the conditions of the alleys including garbage, clutter, parked cars, graffiti and other issues.
- The City is exploring ways to address waste receptacle regulation, parking control regulations, paving and water retention, signage and wayfinding, and general code enforcement.
  - Other communities' approaches to waste receptacles are being studied. Some communities require each dumpster to be labelled with the owner's name and the trash hauler's name. In addition, some communities require that the dumpsters be maintained in good condition.
  - Signage regulating parking needs to be provided in order to allow the police department to enforce parking regulations in the public portions of the alleys.
  - The issues of paving and water retention could be improved by material upgrades and more attention to greening the space.
  - Signage can help direct pedestrians to retail frontage that opens up into the alleyways.

Planning Director Ecker told Commissioner Boutros that Birmingham has not been responsible for collecting the waste produced by the City's commercial retailers.

Commissioner Boutros suggested that Birmingham should attempt having one waste collector for the City. He continued that he believes the alleyways are high priority and he would like to see the issue advanced.

Planning Director Ecker explained that the current regulations on alleyways can only be enforced if a retailer comes before the Commission for a Site Plan or Design Review, which means the City is currently unable to address day-to-day issues.

City Manager Valentine acknowledged that the alleyway issues span many different City departments and are being approached through interdepartmental coordination in order to craft a comprehensive approach.

City Manager Valentine confirmed for Mayor Harris that proposals addressing these issues will be brought before the Commission.

Planning Director Ecker said that these issues are largely outside the jurisdiction of the Planning Board because they deal with areas of the City Code beyond the Zoning Ordinances.

Commissioner Nickita stated that the most successful alleys are the alleys where retail open up into the alley. He would like to discuss possible regulations which encourage both current and new developments to invest in alley activation.

### **3. Bistro Regulations**

Planning Director Ecker outlined Bistro issues which include:

- Use of Eisenglass – Doing so extends the time period outdoor dining areas are in operation which increases the number of seats for the restaurant as a whole for a majority of the year;

Assistant City Planner Chapman said:

- The QR code directs users to other locations.
- The goal is to make each location an active transportation hub with water fountains, a map with wayfinding, and other amenities.
- The privately funded location at Griffin Claw, which uses the same product, has not experienced any issues.
- The kiosks referenced will not be implemented at this time.
- No count has been undertaken for usage at Griffin Claw.
- Screwdrivers and other tools are affixed to the rack.

**MOTION:** Motion by Commissioner Boutros, seconded by Mayor Pro Tem Bordman:  
To approve the installation of 9 U Rack embedded bike racks and the purchase and installation of 8 Loop embedded bike racks as outlined on the attached chart and map of Phase 4 of the City's Bicycle Parking Plan, for a total cost of \$3240 from account #721.000-825.0000;

**AND**

To approve the following as the City-wide standard bicycle maintenance station components:

1. Fixit bicycle maintenance station with a Hunter Green powder coat finish;
2. Air Kit 2 public bike pump with a Hunter Green powder coat finish; and
3. Dero Bicycle Repair signs;

**AND**

To approve the purchase and installation of four bicycle repair stations, including four fixit stations (\$2808), four air pumps (\$1624), and four Dero Bicycle Repair signs (\$128) at the locations noted in Booth Park, Quarton Lake Park, Shain Park, and Kenning Park, for a total expenditure of \$4,819.50 from account #721.000- 825.0000.

VOTE:            Yeas,        7  
                     Nays,        0  
                     Absent,      0

#### **05-142 -18                    ALLEY IMPROVEMENT PLAN**

Senior Planner Baka presented his May 2, 2018 memo to City Manager Valentine regarding the Alley Improvement Plan. Senior Planner Baka confirmed that the new signs would be the in same style as the already extant signs in the Hamilton alley.

**MOTION:** Motion by Commissioner Sherman, seconded by Commissioner DeWeese:  
To accept the bid from Johnson Sign Co. and to authorize the allocation of \$7,800.00 from account #101-721.000-825.0100 for the purpose of the fabrication and installation of via wayfinding signs.

VOTE:            Yeas,        7  
                     Nays,        0  
                     Absent,      0

#### **05-143-18                    PROPOSED SCULPTURE LOAN OF *EASTERN HOPHORNBEAM***



## MEMORANDUM

Planning Division

**Date:** May 2, 2018

**To:** Joseph A. Valentine, City Manager

**From:** Matthew Baka, Senior Planner

**Approved:** Jana Ecker, Planning Director

**Subject:** Alley Improvement Plan

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During the Long Range Planning meeting of the City Commission on January 27<sup>th</sup>, 2018, City staff discussed the issues surrounding alleys in the City including signage/wayfinding, dumpsters, parking and stormwater. The multitude of potential remedies to the issues outlined in the Long Range Planning meeting were proposed to be rolled out in a phased process over the coming years. Minutes from the Long Range Planning meeting are attached for your review. The phases are proposed as follows:

- **Phase 1: Signage/Wayfinding** – The Strategy for Alleys and Passages Plan for the City of Birmingham outlines signage/wayfinding as an activation strategy for the City's network of alleys and passages. Cities across the United States have utilized wayfinding and regulatory signage to direct pedestrians toward alleys and regulate activity in said alleys. Signage/wayfinding plays an important role in keeping alleys walkable, safe and clean. There are several wayfinding signs currently installed around Downtown. Locations for future signage will be identified, proposals will be procured, and ordinance language for regulatory signage written in this phase.
- **Phase 2: Waste Receptacles** – The biggest target in the attempt to clean up alleys in Birmingham are waste receptacles (trash, recycling, grease and compost). This phase will focus on adding accountability to the owners/operators of waste receptacles in alleys and passages. This will include required maintenance, registry with the City, and required informational stickers affixed to the receptacle.
- **Phase 3: Parking Control** – The Strategy for Alleys and Passages in Birmingham classified alleys and passages into 3 types: Active, Connecting, and Destination. Each classification allows for different levels of vehicular access. Further regulating vehicular access and parking in the City's alley and passage system will create less congestion for emergency, loading and trash vehicles. This phase will also help in eliminating some of the negative externalities imposed by vehicles, such as littering, air pollution and noise pollution.
- **Phase 4: Paving and Storm Water Management** – An increasingly popular technique to increase walkability is the installment of permeable pavement to mitigate



the effects of rainfall events and snow melt. Many cities have begun to focus their attention toward “greening” their alley systems to transform the miles and miles of wasted space into a functional member of their infrastructure networks. Requiring or incentivizing permeable pavement techniques in Birmingham is the main facet of this phase.

- **Phase 5: Alley Width Standards** – Controlling and adapting the allowed width of alleys to the different classifications provides a number of benefits to the cleanliness of Birmingham’s alley and passage system. Narrower passages can make it improbable or impossible for vehicles to utilize the alley where vehicles are not allowed, or not desired. Techniques such as adding landscaping, public art, or architectural details to the alley spaces can narrow alleys and help create a sense of place, which in turn creates a safe and clean space for pedestrians to utilize.
- **Phase 6: Code Enforcement** – The final phase of the alley improvement plan is to step up the City’s Code Enforcement capabilities. New language should be clear, and Code Enforcement officials should be able to write clear and appropriate citations when violations are present.

### **Implementation of Phase 1**

The first of the via wayfinding signs were installed in the summer of 2017. Four signs were installed directing pedestrians through the via alongside Social Kitchen on E. Maple through the alley and out onto Hamilton next to Commonwealth Café. The Old Woodward reconstruction project also includes the installation of two additional via signs at the Willits alley entrance on W. Maple and the pedestrian path on S. Old Woodward leading to Café Via.

The Planning Division would like to continue the Phase 1: Signage/Wayfinding by installing five (5) additional via signs. The location of the new signs would be at the other two entrances to Willits Alley, the entrances to the Café Via passage along W. Maple and along Peabody, and then one additional sign on Merrill St. on the east side of 220 restaurant. These locations were selected because there are existing pedestrian light poles that can be used to mount the signs. Future locations will require the installation of additional poles to mount the signs on.

The 2018 Planning budget included funds specifically earmarked for use on via wayfinding signage. Accordingly, an Invitation to Bid (ITB) was issued requesting bids on the fabrication and installation of 5 additional via wayfinding signs. There were two responses to the ITB. The chart below shows the resulting bids. Both bid proposals met the requirements of the ITB. The ITB that was issued is attached to this report which includes the specifications on the signs, as well as a map and photographs of the proposed locations. Each company has done wayfinding signage for municipalities in southeast Michigan. References were contacted for both applicants. The references for both companies provided positive reviews of their work and stated that the quality and workmanship of the signs met their expectations. The applicants provided photographic examples of their work as follows:

**Johnson Sign Company;**

- Sterling Heights, MI
- Royal Oak, MI

**Signs by Crannie**

- Birch Run, MI
- Rochester Hills, MI
- Northville, MI
- Southfield, MI
- Sterling Heights, MI

<b>Firm Name</b>	<b>Meets ITB requirements</b>	<b>Total Proposal Amount</b>	<b>Sign Costs for Fabrication</b>	<b>Cost for installation</b>	<b>Contact Name</b>
<b><u>Johnson Sign Co.</u> 2240 Lansing Ave. Jackson MI 49202</b>	<b>Yes</b>	<b>\$7,800</b>	<b><u>\$1,200 ea.</u> \$6,000 total</b>	<b><u>\$360 ea.</u> \$1800 total</b>	<b>Jim Johnson</b>
<b><u>Signs by Crannie</u> 4145 Market Place Flint, MI 48507</b>	<b>Yes</b>	<b>\$8,598</b>	<b><u>\$1,350 ea.</u> \$6,753 total</b>	<b><u>\$369 ea.</u> \$1,845 total</b>	<b>Nicholas Guzik</b>

**SUGGESTED ACTION:**

The City Commission accept the bid from Johnson Sign Co. and to authorize the allocation of \$7,800.00 from account #101-721.000-825.0100 for the purpose of the fabrication and installation of via wayfinding signs.

OR

The City Commission accept the bid from Signs by Crannie and to authorize the allocation of \$8,598.00 from account #101-721.000-825.0100 for the purpose of the fabrication and installation of via wayfinding signs.

**BIRMINGHAM CITY COMMISSION  
LONG RANGE PLANNING MINUTES  
JANUARY 27, 2018  
MUNICIPAL BUILDING, 151 MARTIN  
8:30 A.M.**

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I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Andrew Harris called the meeting to order at 8:34 a.m.

II. ROLL CALL

**Present:** Mayor Harris Mayor Pro Tem Bordman Commissioner Boutros  
Commissioner DeWeese Commissioner Hoff Commissioner Nickita Commissioner  
Sherman

**Absent:** None

**Administration:** City Manager Valentine, City Attorney Currier, Police Commander  
Albrecht, Communications Director Byrnes, Fire Chief Connaughton, Assistant Library  
Director Craft, Assistant Fire Chief Donahue, Planning Director Ecker, DPS Manager  
Filipski, Finance Director Gerber, Police Commander Grewe, Assistant City Manager  
Gunter, Assistant to the City Manager Haines, Building Official Johnson, Library  
Director Koschik, City Clerk Mynsberge, City Engineer O'Meara, Museum Director  
Pielack, HR Manager Taylor, BSD Director Tighe, Assistant Finance Director  
Wickenheiser, DPS Director Wood

**2. Alley Regulations Planning**

Director Ecker reported that:

- An Alleys and Passageways Plan was done in 2012 to try and activate the City's alleyways. The Plan delineates three types of alleyways, or 'vias':
  - Active vias, for cars and people;
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Commissioner Nickita stated that the most successful alleys are the alleys where retail open up into the alley. He would like to discuss possible regulations which encourage both current and new developments to invest in alley activation.





## INVITATION TO BID

Sealed bids endorsed **"VIA WAYFINDING SIGNS"** will be received by the City of Birmingham, Michigan at the Office of City Clerk, 151 Martin Street, P.O. Box 3001, Birmingham, MI, 48012 until Friday, April 6, 2018 at 1:00 p.m., at which time the bids will be publicly opened and read.

Bids from qualified vendors must include pricing for the purchase of (5) VIA WAYFINDING SIGNS. All proposals must include fabrication, installation costs and methods, shipping costs and estimated installation dates.

Materials and bids shall be submitted in accordance with the attached specifications and bid forms prepared by the City of Birmingham Community Development Department.

Specifications are available exclusively via the Michigan Intergovernmental Trade Network (MITN).\*

Bids must be submitted in a sealed envelope marked **"VIA WAYFINDING SIGNS"**. The date and time of the bid opening must be marked on the envelope.

The City of Birmingham reserves the right to reject any or all proposals and to waive any irregularity in a bid when deemed in the best interest of the City.

The acceptance of any proposal made pursuant to this invitation shall not be binding upon the City until a written purchase order has been delivered to the successful bidder.

Submitted to MITN:	March 19, 2018
Deadline for Submissions:	April 6, 2018 1:00 p.m.
Contact Person:	Matthew Baka, Senior Planner City of Birmingham Community Development Department P.O. Box 3001, 151 Martin Street Birmingham, MI 48012 Phone: (248) 530-1841 Email: mbaka@bhamgov.org

\* The City of Birmingham is part of an organization called the Michigan Intergovernmental Trade Network (MITN), a group of agencies that joined forces to create a regional bid notification system to notify companies of new bid opportunities. Bids, quotations and proposals are posted online. All vendors are encouraged to visit [www.govbids.com](http://www.govbids.com) and click on "The Michigan MITN System" link in order to register their company and gain access to new bids and proposals. If you do not have internet access, please call 1-800-835-4603, to speak to a representative at IPT BidNet®, the technical support group that handles the MITN system.

## INTRODUCTION

For purposes of this invitation to bids the City of Birmingham will hereby be referred to as "City" and the vendor will hereby be referred to as "Contractor."

The City of Birmingham, Michigan is accepting sealed bids from qualified vendors for the purchase of **ALUMINUM LED WAYFINDING SIGNS**. Sealed bids will be received by the City of Birmingham, Michigan at the Office of City Clerk, 151 Martin Street, P.O. Box 3001, Birmingham, MI, 48012 until Friday, April 6, 2018 at 1:00 p.m., at which time the bids will be publicly opened and read.

Bids from qualified vendors must include pricing for the purchase of a total of (5) VIA WAYFINDING SIGNS. Construction drawings are attached. All proposals must include fabrication, installation costs and methods, shipping costs and estimated installation dates.

The City reserves the right to request additional information or clarification from bidders. At the discretion of the City, vendors submitting bids may be requested to provide sample materials or equipment.

## GENERAL CONDITIONS AND INSTRUCTIONS TO BIDDERS

All information requested of the vendor shall be entered in the appropriate space on the attached form(s). Failure to do so may disqualify the bid.

All information shall be entered in ink or typewritten. Mistakes may be crossed out and corrections inserted before submission of the bid. The person signing the bid shall initial corrections in ink.

Corrections and/or modifications received after the closing time specified will not be accepted.

All bids shall be signed by an authorized officer or employee of the bidder.

Bids must be submitted by the date and at or prior to the time specified to be considered. No late bids, telegraphic bids, telephone bids, or facsimile bids will be accepted.

Submit bids in a sealed envelope marked "**VIA WAYFINDING SIGNS**". Also indicate the bid opening date and time on the envelope.

The City of Birmingham is exempt from State of Michigan and federal excise taxes. Do not include such taxes in the bid. The City will furnish the successful vendor with tax exemption information when requested.

All proposals shall include the following information: Vendor name, address, city, state, zip code, telephone number, and fax number. The company shall also provide the name, address, telephone number and e-mail address of an individual in their organization to whom notices and inquiries by the City should be directed as part of the bid.

The City of Birmingham reserves the right:

1. To award bids received on the basis of individual items, or group of items, or on the entire list of items.
2. To reject any and all bids, or any part thereof.
3. To waive any informality in the bids received.
4. To accept the bid that the City Commission shall deem to be in the best interest of City of Birmingham.

**INVITATION TO BID SUMMARY  
VIA WAYFINDING SIGNS**

The City of Birmingham, Michigan is accepting sealed bids from qualified vendors for the purchase of **ALUMINUM LED WAYFINDING SIGNS**.

The City of Birmingham, Michigan will grant to the successful bidder a purchase order for the following:

(5) POLE MOUNT SIGNS per the attached specifications in Exhibit A

**BID FORM  
BIDDER TO COMPLETE ALL BLANKS IN THIS DOCUMENT**

DESCRIPTION	QUANTITY	COST	TOTAL
VIA WAYFINDING POLE MOUNT SIGNS	5		
INSTALLATION COST VIA WAYFINDING POLE MOUNT SIGNS	5		
TOTAL SHIPPING AND DELIVERY CHARGES – DELIVERY ADDRESS 151 MARTIN, BIRMINGHAM, MI 48009	SHIPPING		
<b>BID GRAND AMOUNT TOTAL</b>			

**PROJECT TIMELINE:** ESTIMATED DELIVERY DATE: \_\_\_\_\_

BIDDER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

It is understood and agreed that all bid prices shall remain in effect for at least ninety (90) days from the date of bid opening to allow for the award of the bid.

## **BIDDER'S AGREEMENT**

In submitting this bid as herein described the bidder agrees that:

1. Bidder / Vendor has carefully examined the specifications, terms and agreement of the Invitation to Bid and all other provisions of this document and understands the meaning, intent, and requirements therein.
2. Bidder / Vendor will accept a purchase order and furnish all items in the time specified in conformance with the specifications and conditions contained therein for the price quoted by the proponent on this proposal.

COMPANY\_\_\_\_\_

ADDRESS\_\_\_\_\_

CITY\_\_\_\_\_STATE\_\_\_\_\_ZIP\_\_\_\_\_

REPRESENTATIVE\_\_\_\_\_TITLE\_\_\_\_\_

EMAIL\_\_\_\_\_

PHONE\_\_\_\_\_FAX\_\_\_\_\_

SIGNATURE\_\_\_\_\_DATE \_\_\_\_\_

## **SPECIFICATIONS AND REQUIREMENTS**

The successful vendor will be required to comply with the following specifications and requirements:

### INSURANCE

The successful vendor is required to procure and maintain certain types of insurances.

The Contractor shall not commence work under this contract until the company has obtained the insurance required under this paragraph. All coverages shall be with insurance companies licensed and admitted to do business in the State of Michigan. All coverages shall be with insurance carriers acceptable to the City of Birmingham.

1. Workers' Compensation Insurance: The Contractor shall procure and maintain during the life of this contract, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
2. Commercial General Liability Insurance: The Contractor shall procure and maintain during the life of this contract, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.
3. Motor Vehicle Liability: The Contractor shall procure and maintain during the life of this contract Motor Vehicle Liability Insurance, including all applicable no-fault coverages, with limits of liability of not less than \$ 1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
4. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following shall be *Additional Insureds*. The City of Birmingham including all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof. This coverage shall be primary to any coverage that may be available to the additional insured, whether any other available coverage be primary, contributing or excess.
5. Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following: "Thirty (30) days Advance Written Notice of Cancellation or Non-Renewal shall be sent to: City of Birmingham, Police Department, attention Ellen DeView, P.O. Box 3001, 151 Martin Street, Birmingham, Michigan 48012.
6. Proof of Insurance Coverage: The Contractor shall provide the City of Birmingham at the time the contracts are returned for execution, Certificates of Insurance and/or policies, acceptable to the City of Birmingham, as listed below.
  - a. Two (2) copies of Certificate of Insurance for Workers' Compensation;
  - b. Two (2) copies of Certificate of Insurance for Commercial General Liability;
  - c. Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;



- d. If so requested, Certified Copies of all policies mentioned above will be furnished.
7. Insurance Certificate to be Submitted with Bid: The Contractor shall submit a copy of their standard insurance certificate, included with their bid, to the City of Birmingham.
8. Coverage Expiration: If any of the above coverages expire during the term of this contract, the Contractor shall deliver renewal certificates and/or policies to the City of Birmingham at least (10) days prior to the expiration date.

#### CONTINUATION OF COVERAGE

The Contractor agrees to provide all insurance coverages as specified. Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the agreement, the City may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the agreement amount. In obtaining such coverage, the City of Birmingham shall have no obligation to procure the most cost effective coverage and may contract with any insurer for such coverage.

#### INDEMNITY

To the fullest extent permitted by law, the Contractor and any entity or person for whom the Contractor is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City of Birmingham, its elected and appointed officials, employees and volunteers and others working on behalf of the City of Birmingham against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from and the City of Birmingham, its elected and appointed officials, employees, volunteers or others working on behalf of the City of Birmingham, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this contract. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the City of Birmingham.

#### CONFLICT OF INTEREST

The City of Birmingham will not enter into a contract to furnish materials or services to the City from any City official, his or her spouse, child or parent, or from any corporation, association or partnership in which any City official, his or her spouse, child or parent, has any direct or indirect interest. If, after the effective date of this Agreement, any official of the City, or spouse, child, parent or in-law of such official or employee shall become directly or indirectly interested in this Agreement or the affairs of the Contractor, the City shall have the right to terminate this Agreement without further liability to the Contractor if the disqualification has not been removed within thirty (30) days after the City has given the Contractor notice of the disqualifying interest.

Ownership of less than one percent (1%) of the stock or other equity interest in a corporation or partnership shall not be a disqualifying interest. Employment shall be a disqualifying interest.

#### FAILURE TO PERFORM / REMEDIAL ACTIONS

If Contractor fails to perform its obligations hereunder, the City may take any and all remedial actions provided by the specifications as determined in the bid or as otherwise permitted by law.

#### OBLIGATION TO EXECUTE CONTRACT

The bidder whose proposal is accepted shall be required to execute the contract and to furnish all insurance coverages as specified within ten (10) days after receiving notice of such acceptance. Any contract awarded pursuant to any bid shall not be binding upon the City until a written contract has been executed by both parties. Failure or refusal to execute the contract shall be

considered as abandoned, and all rights and interest in the award and the contract may be awarded to another.

#### NON-DISCRIMINATION

The Contractor shall, when applicable, comply with the requirements of all federal, state, and local laws and ordinances and regulations relating to minimum wages, social security, unemployment compensation insurance, and Worker's Compensation, and shall not discriminate against any employee or applicant for employment because of religion, race, color, sex, marital status, age, national origin, handicap, sexual orientation or any other protected classification specified by state or federal law.

#### NON-ASSIGNABILITY

The covenants, conditions, and the Agreements herein contained are hereby declared binding on the City and Contractor. It is further agreed that there shall be no change, modification, or alteration hereof, except in writing, signed by both of the parties hereto. Neither party shall assign any of the rights under this Agreement without prior approval, in writing, of the other.

#### SETTLEMENT OF DISPUTES

Any disputes arising under the contract shall be settled either by commencement of a suit in Oakland County Circuit Court or by compulsory arbitration, at the election of the city. If the Contractor feels aggrieved, they shall advise the city of any dispute they have arising out of the contract and shall demand that the city elect whether the dispute is to be resolved by submitting it to compulsory arbitration or by commencement of a suit in the Oakland County Circuit Court or any other court having jurisdiction. The city shall make its election within thirty (30) days from the receipt of such notice. If the city elects to have the dispute resolved by compulsory arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan, with each of the parties appointing one arbitrator, and the two thus appointing a third. The Oakland County Circuit Court or any court having jurisdiction may render a judgment upon the award of the arbitrators. In the event that the city elects not to have the matter in dispute arbitrated or fails to make such an election, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court. In the event that the city feels aggrieved, it shall elect the method of resolving its dispute by either demanding that the matter be arbitrated or by filing a suit in the Oakland County Circuit Court.

#### FAIR PROCUREMENT OPPORTUNITY

Procurement for the City of Birmingham will be handled in a manner providing fair opportunity for all businesses. This will be accomplished without abrogation or sacrifice of quality and as determined to be in the best interest of the City of Birmingham.

#### IRAN SANCTIONS ACT VENDOR CERTIFICATION FORM

The attached Iran Sanctions Act Vendor Certification Form must be completed and included with the sealed bid.

**IRAN SANCTIONS ACT VENDOR CERTIFICATION FORM**  
**For VIA WAYFINDING SIGNS**

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Pursuant to Michigan law and the Iran Economic Sanctions Act, 2012 PA 517 ("Act"), prior to the City accepting any bid or proposal, or entering into any contract for goods or services with any prospective Vendor, the Vendor must certify that it is not an "Iran Linked Business", as defined by the Act.

By completing this form, the Vendor certifies that it is not an "Iran Linked Business", as defined by the Act and is in full compliance with all provisions of the Act and is legally eligible to submit a bid for consideration by the City.

---

**PREPARED BY**  
**(Print Name)**

**DATE**

---

**TITLE**

**DATE**

---

**AUTHORIZED SIGNATURE**

**E-MAIL ADDRESS**

---

**COMPANY**

---

**ADDRESS**

**PHONE**

---

**NAME OF PARENT COMPANY**

**PHONE**

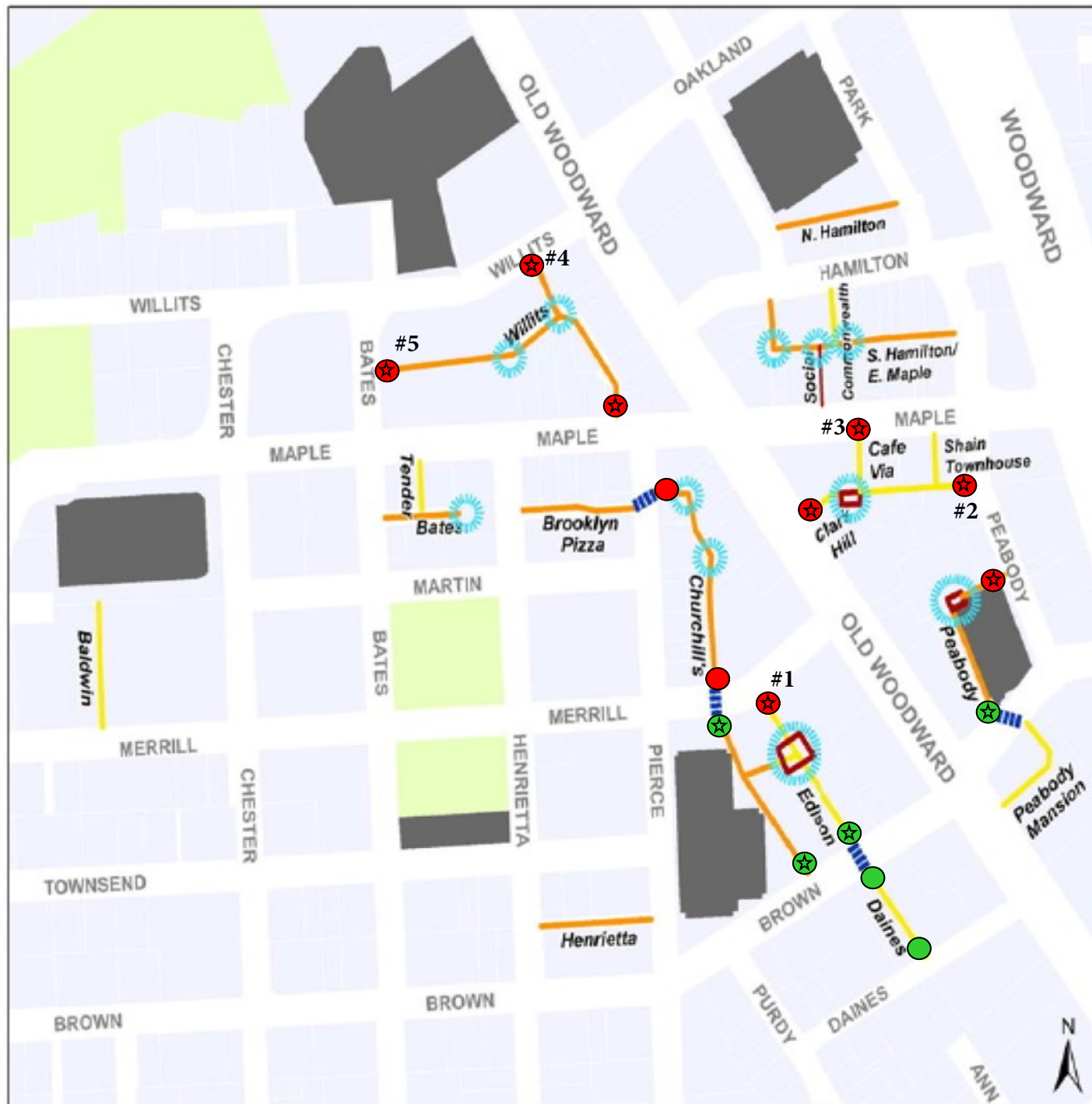
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**ADDRESS**

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**TAXPAYER I.D.#**





## Classifications for Alleys & Passages

### LEGEND

- Active
- Connecting
- Destination
- Parking Structures
- Parks
- Potential Crosswalks
- Potential Vistas

### Proposed Pole Signs

- Pole Needed
- Light Post Nearby
- ☆ Priority Signage
- # - numbers correspond to attached photos





**Location #1**





Location #2





Location #3





**Location #4**





Location #5





**Corporate Office - Jackson**  
**2240 Lansing Ave.**  
**Jackson, MI 49202**  
P: (517) 784-3720  
F: (517) 784-1556  
[www.johnsonsign.com](http://www.johnsonsign.com)

**Douglas Sign - Lansing**  
*A Division of Johnson Sign*  
**1800 S. Cedar St.**  
**Lansing, MI 48910**  
P: (517) 482-2090  
F: (517) 482-2138

**Huron Sign - Ypsilanti**  
*A Division of Johnson Sign*  
**663 S. Mansfield St.**  
**Ypsilanti, MI 48197**  
P: (734) 483-2000  
F: (734) 483-5164

---

## VIA WAYFINDING SIGNS

**April 6, 2018 1:00 p.m.**

**Bid Submitted by:**

**Johnson Sign Company**

**2240 Lansing Ave, Jackson, MI 49202**

**(517) 784-3720**

**(517) 784-1556 Fax**

**Company Contact:**

**Jim Johnson**

**(517) 414-5111 (Cell)**

**[jim@johnsonsign.com](mailto:jim@johnsonsign.com)**

**INVITATION TO BID SUMMARY  
VIA WAYFINDING SIGNS**

The City of Birmingham, Michigan is accepting sealed bids from qualified vendors for the purchase of **ALUMINUM LED WAYFINDING SIGNS.**

The City of Birmingham, Michigan will grant to the successful bidder a purchase order for the following:

(5) POLE MOUNT SIGNS per the attached specifications in Exhibit A

**BID FORM  
BIDDER TO COMPLETE ALL BLANKS IN THIS DOCUMENT**

DESCRIPTION	QUANTITY	(EA) COST	TOTAL
VIA WAYFINDING POLE MOUNT SIGNS	5	\$1,200 ea	\$6,000
INSTALLATION COST VIA WAYFINDING POLE MOUNT SIGNS	5	\$360 ea	\$1,800
TOTAL SHIPPING AND DELIVERY CHARGES – DELIVERY ADDRESS 151 MARTIN, BIRMINGHAM, MI 48009	SHIPPING	N/A	N/A
<b>BID GRAND AMOUNT TOTAL</b>			\$7,800


**PROJECT TIMELINE:** ESTIMATED DELIVERY DATE: 4-6 WEEKS AFTER APPROVAL

BIDDER'S SIGNATURE  DATE 4-5-18

It is understood and agreed that all bid prices shall remain in effect for at least ninety (90) days from the date of bid opening to allow for the award of the bid.

BID SUBMITTED BY:

JOHNSON SIGN CO.  
2240 LANSING AVE.  
JACKSON, MI 49202

 Jim Johnson  
4-5-18

### **BIDDER'S AGREEMENT**

In submitting this bid as herein described the bidder agrees that:

1. Bidder / Vendor has carefully examined the specifications, terms and agreement of the Invitation to Bid and all other provisions of this document and understands the meaning, intent, and requirements therein.
2. Bidder / Vendor will accept a purchase order and furnish all items in the time specified in conformance with the specifications and conditions contained therein for the price quoted by the proponent on this proposal.

COMPANY JOHNSON SIGN CO

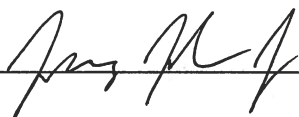
ADDRESS 2240 LAWSING AVE

CITY JACKSON STATE MI ZIP 49202

REPRESENTATIVE JIM JOHNSON TITLE VICE PRESIDENT

EMAIL jim@johnsonsign.com


PHONE 517-784-3720 FAX 517-784-1556

SIGNATURE  DATE 4-5-18

**IRAN SANCTIONS ACT VENDOR CERTIFICATION FORM**  
**For VIA WAYFINDING SIGNS**

Pursuant to Michigan law and the Iran Economic Sanctions Act, 2012 PA 517 ("Act"), prior to the City accepting any bid or proposal, or entering into any contract for goods or services with any prospective Vendor, the Vendor must certify that it is not an "Iran Linked Business", as defined by the Act.

By completing this form, the Vendor certifies that it is not an "Iran Linked Business", as defined by the Act and is in full compliance with all provisions of the Act and is legally eligible to submit a bid for consideration by the City.

<u>Jim Johnson</u>	<u>4-5-18</u>
<b>PREPARED BY</b> <b>(Print Name)</b>	<b>DATE</b>
<u>VICE PRESIDENT</u>	<u>4-5-18</u>
<b>TITLE</b>	<b>DATE</b>
<u></u>	<u>Jim@johnsonsign.com</u>
<b>AUTHORIZED SIGNATURE</b>	<b>E-MAIL ADDRESS</b>
<u>Johnson Signs Co.</u>	
<b>COMPANY</b>	
<u>2240 Lansing Ct Ave, Jackson, MI</u>	<u>(517) 784-3720</u>
<b>ADDRESS</b>	<b>PHONE</b>
<u>SAME</u>	
<b>NAME OF PARENT COMPANY</b>	<b>PHONE</b>
<u></u>	
<b>ADDRESS</b>	
<u>38-1744519</u>	
<b>TAXPAYER I.D.#</b>	



ROYAL OAK  
POLICE  
DEPARTMENT

GENERAL INFORMATION EMERGENCY  
1-248-246-3500 9-1-1  
NO SURCHARGE ATM IN LOBBY

POLICE

Royal Oak







## Downtown



## Events

MAY 13	Royal Oak In Bloom
MAY 28	Memorial Day Parade
JUNE 9-10	Clay, Glass & Metal Festival
THURSDAYS JULY - AUG	Summer Concert Series
AUG 31 - SEPT 3	Arts, Beats & Eats
NOV 24	Small Business Saturday
NOV 29	Holiday Tree Lighting
SATURDAYS	Farmer's Market
<b>FOR DETAILS VISIT:</b> <a href="http://www.downtownroyaloak.org">www.downtownroyaloak.org</a>	

Life Now Playing





CITY OF  
**Sterling  
Heights**

senior center

40200





CITY OF  
**Sterling  
Heights**

RICHARD J. NOTTE  
**city center**

city hall

police

library

court

40111 40255

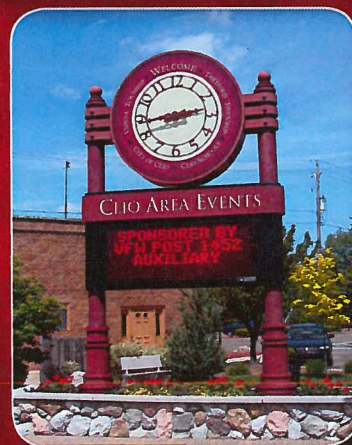
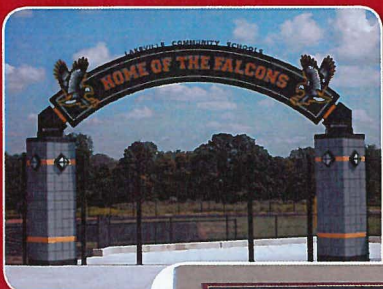
40333 40555



# SIGNS BY... *Crannie*

A Full Service Sign Company

DESIGN • FABRICATION • INSTALLATION • MAINTENANCE

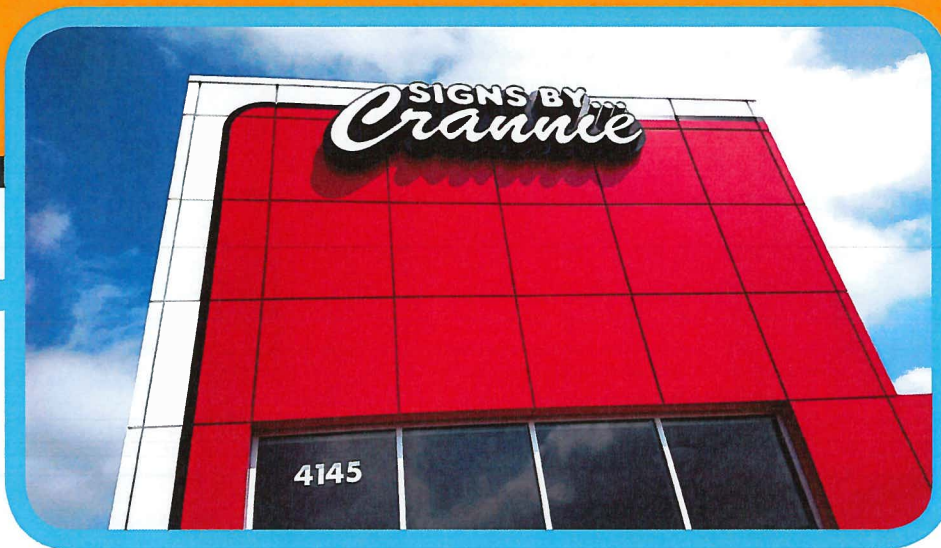


[www.signsbycrannie.com](http://www.signsbycrannie.com)



**Signs by Crannie designs and builds signs that make a difference...**

**"Outstanding DESIGN, Superior QUALITY and Dependable SERVICE."**



Signs are a very important part of the character that you communicate to the public. Properly designed signs can be the finishing touch to your architectural project. Don't leave it up to just any sign shop – choose the professionals of **Signs by Crannie**.

**Signs by Crannie** has been manufacturing and servicing custom signs since 1985. We are makers of quality, handcrafted signs and specialties that include:

- Electric Signs (monument and pole)
- Neon Signs and LED Retro Fits
- Electronic Message Centers (EMC)
- Interior & Exterior Architectural Signs
- Sandblasted Signs
- Cast Metal Plaques
- Flagpoles
- Vehicle Graphics
- Stadium Archways
- Scoreboards
- Mascot and Logo Design
- And Much More!

From concept through completion, we design and produce signs for large and small clients throughout Michigan and the Midwest.

**Some of our very satisfied customers include:**





# TOP 10 REASONS TO CHOOSE



- 10.** One of only 3 Michigan companies recognized by the World Sign Associates.
- 9.** Being the area's largest custom sign manufacturer allows you to get the best price for the highest quality product.
- 8.** Over 600 years of combined sign management, production and installation experience.
- 7.** Factory-certified service technicians.
- 6.** Large fleet of late model service and installation trucks that quickly respond to your service issue.
- 5.** Most products are fabricated and produced in-house which allows us control over quality, production and delivery.
- 4.** Licensed, bonded and insured in multiple states and jurisdictions.
- 3.** We employ local people which in turn supports local business and our customer's as well.
- 2.** Underwriter Laboratories certified electrical sign and lighting manufacturer.
- 1.** Positive Buying Experience – Its just not about the price, but the seamless transaction we provide.

**DESIGN – FABRICATION – INSTALLATION – MAINTENANCE**



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
01/31/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Peabody Insurance Agency, Inc. 265 N. Alloy Dr.  Fenton MI 48430		<b>CONTACT NAME:</b> Kelly Hawley <b>PHONE (A/C, No, Ext):</b> (810) 629-1504 <b>FAX (A/C, No):</b> (810) 629-2822 <b>E-MAIL ADDRESS:</b> khawley@peabodyinc.com	
<b>INSURED</b> Signs By Crannie Inc 4145 Market Place  Flint MI 48507		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Selective Way Insurance NAIC # 26301 <b>INSURER B:</b> Selective Insurance America 12572 <b>INSURER C:</b> Accident Fund Insurance Co of America 10186 <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	

## COVERAGES

CERTIFICATE NUMBER: CL1813102445

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	Y		S 1933687	02/10/2018	02/10/2019	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000						
	MED EXP (Any one person) \$ 15,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input checked="" type="checkbox"/> OTHER: Professional Liability							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							Professional Liability \$ 500K/1,000,000
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			S 1933687-BA	02/10/2018	02/10/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	BODILY INJURY (Per person) \$						
	BODILY INJURY (Per accident) \$						
	PROPERTY DAMAGE (Per accident) \$ 1,000						
							\$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE	Y		S 1933687-UMB	02/10/2018	02/10/2019	EACH OCCURRENCE \$ 8,000,000
	AGGREGATE \$ 8,000,000						
	DED <input checked="" type="checkbox"/> RETENTION \$ 0						\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		WCV8013045	02/10/2018	02/10/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
	E.L. EACH ACCIDENT \$ 1,000,000						
	E.L. DISEASE - EA EMPLOYEE \$ 1,000,000						
	E.L. DISEASE - POLICY LIMIT \$ 1,000,000						
A	Leased/Rented Equipment Installation			S 1933687	02/10/2018	02/10/2019	Leased/Rented \$75,000 Installation \$200,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

**INVITATION TO BID SUMMARY  
VIA WAYFINDING SIGNS**

The City of Birmingham, Michigan is accepting sealed bids from qualified vendors for the purchase of **ALUMINUM LED WAYFINDING SIGNS.**

The City of Birmingham, Michigan will grant to the successful bidder a purchase order for the following:

(5) POLE MOUNT SIGNS per the attached specifications in Exhibit A

**BID FORM  
BIDDER TO COMPLETE ALL BLANKS IN THIS DOCUMENT**

DESCRIPTION	QUANTITY	COST	TOTAL
VIA WAYFINDING POLE MOUNT SIGNS	5	1350. <sup>00</sup>	6750. <sup>00</sup>
INSTALLATION COST VIA WAYFINDING POLE MOUNT SIGNS	5	369. <sup>00</sup>	1845. <sup>00</sup>
TOTAL SHIPPING AND DELIVERY CHARGES – DELIVERY ADDRESS 151 MARTIN, BIRMINGHAM, MI 48009	SHIPPING	2	2
<b>BID GRAND AMOUNT TOTAL</b>		1719. <sup>00</sup>	8598. <sup>00</sup>

**PROJECT TIMELINE:** ESTIMATED DELIVERY DATE: 60 DAYS

BIDDER'S SIGNATURE 

DATE 4.5.18

It is understood and agreed that all bid prices shall remain in effect for at least ninety (90) days from the date of bid opening to allow for the award of the bid.

## **BIDDER'S AGREEMENT**

In submitting this bid as herein described the bidder agrees that:

1. Bidder / Vendor has carefully examined the specifications, terms and agreement of the Invitation to Bid and all other provisions of this document and understands the meaning, intent, and requirements therein.
2. Bidder / Vendor will accept a purchase order and furnish all items in the time specified in conformance with the specifications and conditions contained therein for the price quoted by the proponent on this proposal.

COMPANY SIGNS BY CRANNIE  
ADDRESS 4145 MARKET PLACE  
CITY FLINT STATE MI ZIP 48507  
REPRESENTATIVE NICHOLAS GUZIK TITLE PROJECT MANAGER  
EMAIL NGuzik@SignsByCrannie.com  
PHONE 810-487-0000 FAX 810-487-0710  
SIGNATURE Nicholas Guzik DATE 4.5.2018



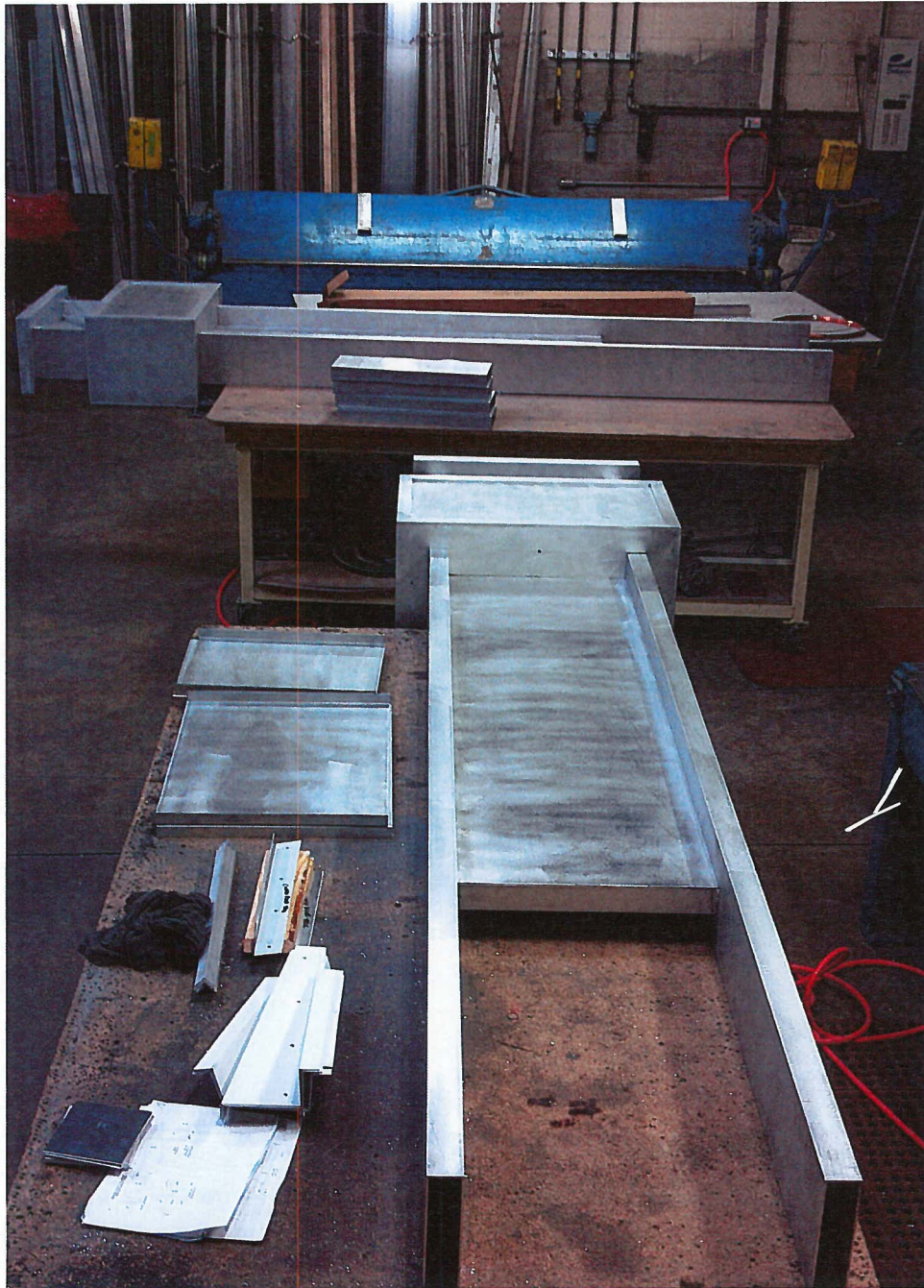
**IRAN SANCTIONS ACT VENDOR CERTIFICATION FORM**  
**For VIA WAYFINDING SIGNS**

Pursuant to Michigan law and the Iran Economic Sanctions Act, 2012 PA 517 ("Act"), prior to the City accepting any bid or proposal, or entering into any contract for goods or services with any prospective Vendor, the Vendor must certify that it is not an "Iran Linked Business", as defined by the Act.

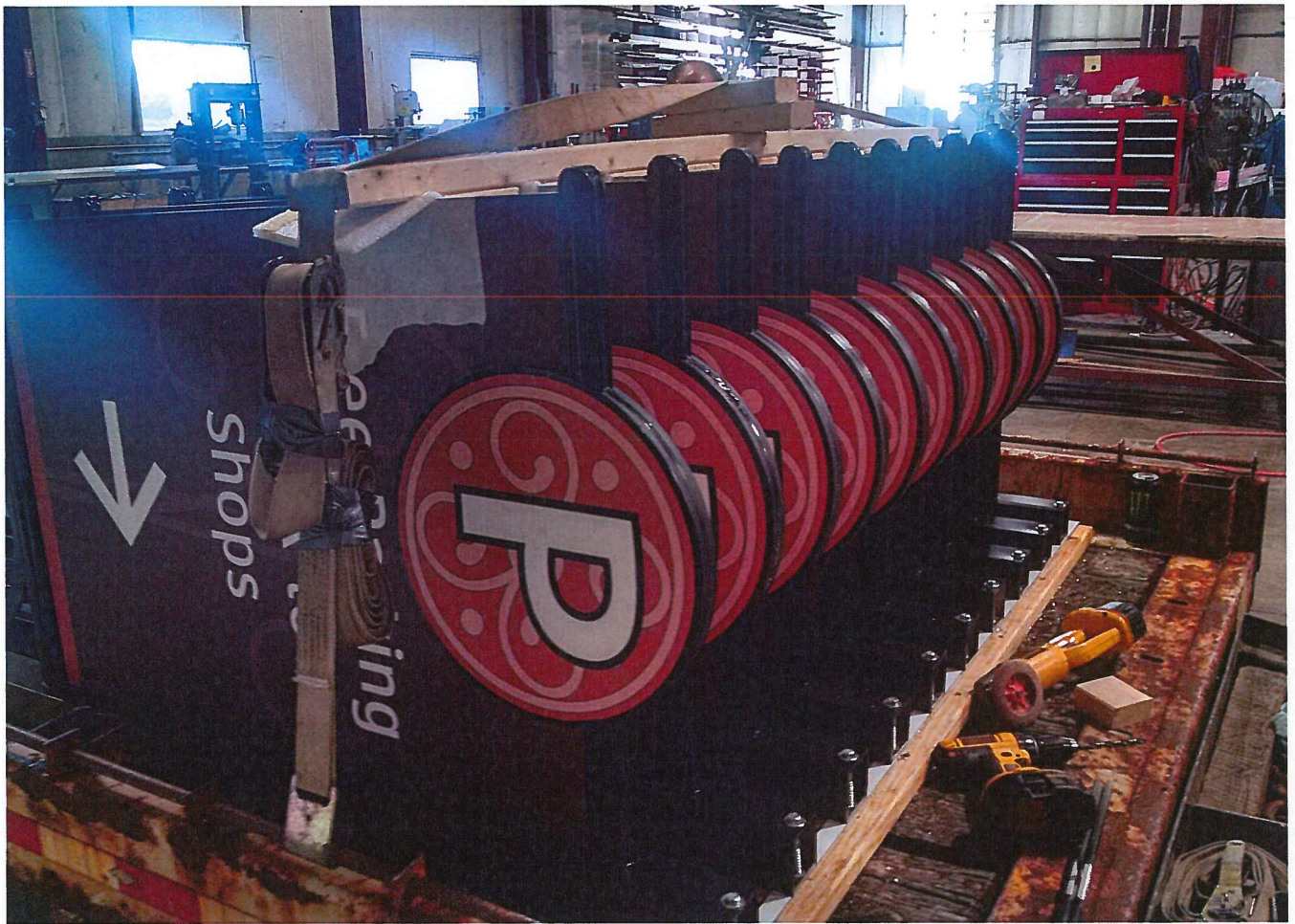
By completing this form, the Vendor certifies that it is not an "Iran Linked Business", as defined by the Act and is in full compliance with all provisions of the Act and is legally eligible to submit a bid for consideration by the City.

<u>NICHOLAS GUZIK</u>	<u>4-5-18</u>
<b>PREPARED BY</b> (Print Name)	<b>DATE</b>
<u>PROJECT MANAGER</u>	<u>4-15-18</u>
<b>TITLE</b>	<b>DATE</b>
<u>Nicholas Guzik</u>	<u>NGUZIK@SIGNSBYCRANKIE.COM</u>
<b>AUTHORIZED SIGNATURE</b>	<b>E-MAIL ADDRESS</b>
<u>SIGNS BY CRANKIE</u>	
<b>COMPANY</b>	
<u>4145 MARKET PLACE FLIRT NE 48507 810-487-0000</u>	
<b>ADDRESS</b>	<b>PHONE</b>
<u>SAME</u>	
<b>NAME OF PARENT COMPANY</b>	<b>PHONE</b>
<b>ADDRESS</b>	
<u>38-3022611</u>	
<b>TAXPAYER I.D.#</b>	























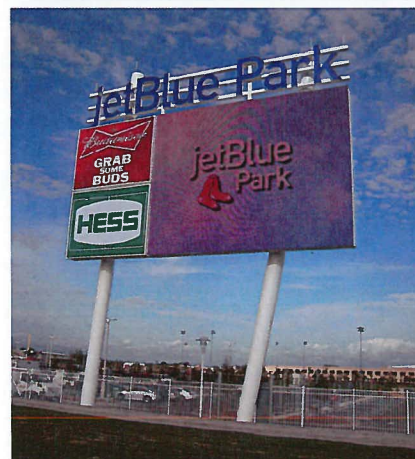
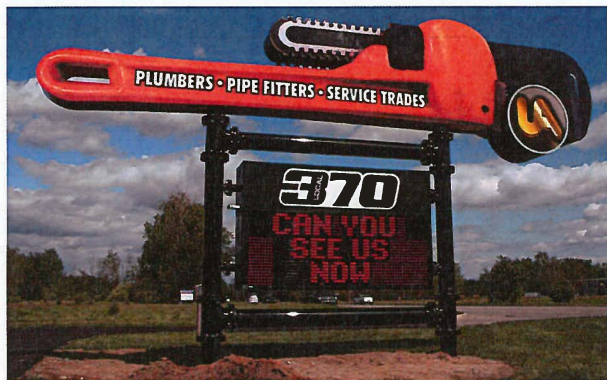








# ELECTRONIC MESSAGE CENTERS (EMC)



## Chapter 90 - SOLID WASTE

## ARTICLE I. - IN GENERAL

Secs. 90-1—90-25. - Reserved.

## ARTICLE II. - COLLECTION AND DISPOSAL

Sec. 90-26. - Definitions.

For purposes of this article, the following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Approved garbage grinder* means garbage grinders which conform in all respects to the requirements contained in chapter 22.

*Ashes* means residue from fires used for cooking and heating buildings.

*Bulky scrap metal* means metal wastes, including but not limited to metal box springs, metal awnings, metal railings, cast iron tubs and sinks, lawn mowers, bicycles, metal bed frames, metal shelving, furnaces, metal fencing, plumbing pipe, exercise machines, barbeque grills, garage doors and garage door runners, metal desks, file cabinets, ladders, barbells, metal playground equipment, audio/visual carts, aluminum siding, metal wheelbarrows, screen doors, small metal sheds, car doors; and white goods, such as residential appliances, including but not limited to, water heaters, water softeners, water tanks, washers, dryers, stoves, air conditioners and refrigerators and freezers.

*Bulky waste*, as utilized by SOCRRA, means large items of solid waste, including but not limited to furniture, mattresses, box springs, and other oversize wastes whose large size precludes their handling by normal collection, processing, or disposal methods. Bulky waste does not include bulky scrap metal items, such as white goods.

*Commercial refuse* means waste materials from businesses, factories and processing plants.

*Construction refuse* means waste materials resulting from alteration, repair or construction of buildings or structures.

*Dead animals* means carcasses of animals, fowl or fish.

*Director* shall mean the public services director of the city.

*Garbage* means animal and vegetable waste resulting from the handling, preparation, cooking and consumption of foods and all other organic matter subject to rapid decomposition. Garbage does not include dead animals.

*Limited bulky scrap metal* means the larger bulky scrap metal items, including but not limited to metal box springs, metal awnings, metal railings, cast iron tubs, metal bed frames, metal shelving, furnaces, metal fencing, garage doors and garage door runners, metal desks, metal playground equipment, aluminum siding, screen doors, small metal sheds, car doors; and white goods, such as residential appliances, including but not limited to, water heaters, water softeners, water tanks, washers, dryers, stoves, air conditioners and refrigerators and freezers.

*Newspaper* means newsprint, magazines, cardboard, corrugated boxes, paper boxes, wrapping paper, paperback books, junk mail and phone books.



*Recyclables or recyclable materials* means those materials which would otherwise become refuse and which may be collected, separated or processed and returned to the economic mainstream in the form of raw materials or products pursuant to SOCRRA's collection requirements, and/or are acceptable materials at the MRF. Examples include but are not limited to all plastic containers, clear and brown glass, metal cans, small scraps, metal objects, household batteries in a clear baggie, cardboard boxes and large metal items.

*Recycling container* means a durable or disposable container owned by the city for the collection of recyclables only.

*Refuse* means those solid wastes as set forth in Michigan Public Act 641 which are acceptable for disposal in a type II sanitary landfill and shall not include any waste, or portion thereof, which is liquid, radioactive, volatile, highly flammable, explosive, infectious or pathological, asbestos, special waste (including, but not limited to, municipal solid waste incinerator ash) or hazardous waste.

*Residential unit* means any individual living unit in a single family dwelling, multiple family dwelling or mixed use dwelling intended for, or capable of being utilized for, residential living. Residential unit does not include any other type of individual living unit in a hotel or motel, guesthouse, residential care facility, extended care facility, sorority or fraternity house, school, dormitory, residential service facility, emergency residential shelter, hospital, convent, or monastery, that would be defined as a commercial establishment as defined by this Code.

*Rubbish* means garbage, paper, rags, rubber, tin cans, glass, bottles and ordinary combustible wastes from residences and business establishments.

*White goods* means metal residential appliances, including but not limited to, water heaters, washers, dryers, stoves, air conditioners and refrigerators.

*Yard recyclables* means leaves, shredded twigs and grass clippings, free of other debris or refuse.

*Yard waste* means compostable materials such as leaves, grass clippings, vegetable or other garden debris, shrubbery, brush or tree trimmings less than four feet in length and two inches in diameter, that can be converted to compost humus. The term excludes agricultural waste, animal waste, roots, sewage sludge, stumps, and treated wood.

(Code 1963, § 2.1; Ord. No. 1688, 11-9-98; Ord. No. 1934, 7-9-07)

**Cross reference**— Definitions generally, § 1-2.

#### Sec. 90-27. - Rules and regulations.

The director shall make such reasonable rules and regulations concerning the collection of refuse as he may deem proper, subject to the approval of the city commission. No person shall fail to observe any rule or regulation so adopted and approved.

(Code 1963, § 2.6; Ord. No. 1688, 11-9-98)

#### Sec. 90-28. - Collection schedule.

The city manager, subject to the approval of the city commission, shall establish a schedule for the collection of garbage and refuse, yard recyclables and yard waste throughout the city and shall engage or provide the proper labor and equipment for carrying out such schedule. Such schedule shall provide not less than one collection weekly for residential areas and may include less frequent collection of bulky items.

(Code 1963, § 2.2; Ord. No. 1688, 11-9-98)

Sec. 90-29. - Violations.

- (a) No such person shall throw or deposit any refuse upon or into any street, alley or other property, public or private, except as specifically permitted in this article. It shall be the duty of every occupant of property and the owner of unoccupied property at all times to maintain the premises occupied or owned by him in a clean and orderly condition, permitting no deposit or accumulation of garbage or refuse upon such premises unless stored or accumulated as permitted by this article.
- (b) The throwing or placing of refuse or permitting it to accumulate on either public or private property contrary to the provisions of this article is declared to be a public nuisance and a violation of this Code. Upon discovery of such a public nuisance, it shall be abated as follows:

- (1) The city manager, or his designee, shall by written demand either:

- a. Serve upon one of the occupants of the premises upon which refuse has accumulated or the premises directly adjoining the public right-of-way upon which refuse has accumulated or upon the person to whom such premises are assessed for taxes on the then current tax rolls; or
    - b. Post in a conspicuous place on such premises an order that the refuse be removed.

If such demand has not been complied with within a 48-hour period, the city may remove such refuse and take such other action as may be required to abate the nuisance caused hereby. The failure to remove such materials within the 48-hour period shall constitute an additional violation of this Code.

- (2) Upon determination by the city manager, or his designee, that the nuisance created by the refuse constitutes a hazard to the public health, safety or welfare, he may cause the nuisance to be abated without the prior notice described in subsection (b)(1), above.
    - (3) The cost of any abatement pursuant to this subsection including, but not limited to, all administrative, labor, materials, storage, disposal, transportation, and other costs, incurred by the city shall be charged and billed against the owner or occupant of the premises or the individual or entity violating this section. In the event that these charges are not paid within 60 days after such billing, a special assessment shall be created if applicable pursuant to the provisions of chapter 94 of this Code.
- (c) No person except those employed or authorized by the city shall remove or cause to be removed any newspapers or recyclables which have been placed for collection pursuant to this chapter.
- (d) No person shall remove leaves from a property that is not adjacent to a street having permanent surfacing, curbs and gutters and deposit such leaves next to the curbs and gutters. In the event that it is determined that such leaves constitute a hazard to the public health, safety or welfare, the leaves may be removed by the city and the cost thereof shall be paid by the offender pursuant to subsection (b)(3) of this section.
- (e) No person shall remove leaves from a property and deposit such leaves next to a curb that is not adjacent to the property from which the leaves have been removed. In the event that it is determined that such leaves constitute a hazard to the public health, safety or welfare, the leaves may be removed by the city and the cost thereof shall be paid by the offender pursuant to subsection (b)(3) of this section.

(Code 1963, § 2.10; Ord. No. 1688, 11-9-98; Ord. No. 1730, 3-27-00)

Sec. 90-30. - Collection procedures, required containers.

All refuse, recyclables, yard recyclables and newspaper put out for collection must be contained and placed in conformance with the provisions of this article.



- (1) Leaves may be placed next to the curb during the period October 1 to December 1 in those streets having permanent surfacing, curbs and gutters.
- (2) For those properties not adjacent to streets having permanent surfacing, curbs and gutters, yard recyclables, if placed for collection, must be contained in city-approved bags or durable metal or plastic containers with decals displayed in accordance with regulations established by the director. Improperly contained yard recyclables will be tagged and left at the curb.
- (3) Yard recyclables and yard wastes may be composted, provided that the accumulation of this material does not exceed 125 cubic feet and does not emit odors offensive to a person of ordinary sensibilities.
- (4) Recyclables shall be separated and placed for collection only in recycling containers obtained from the city. Improperly separated or contained recyclables will be tagged and left at the curb. Recycling containers shall remain the property of the city.
- (5) Newspapers shall not be placed in refuse containers. Newspapers shall be separately accumulated, placed in paper bags or neatly bundled, tied in packages not exceeding 60 pounds and placed adjacent to or within recycling containers for collection.
- (6) Yard wastes, if put out for collection, shall be placed in durable metal or plastic containers ten- to 35-gallon in size. Branches two inches or less in diameter shall be cut to no more than four-foot lengths and tied securely and compactly in bundles less than 18 inches in diameter.
- (7) Refuse properly bundled or in approved containers may be set out in the lawn extension not more than 12 hours prior to the established time for refuse pickup as prescribed by the director, and all containers shall be removed from the extension within 24 hours after pickup.

(Code 1963, § 2.3; Ord. No. 1688, 11-9-98; Ord. No. 1935, 7-9-07)

Sec. 90-31. - Refuse containers.

Any refuse accumulated or stored outside of a dwelling or building on any premises shall be placed in containers conforming to the requirements of this article. All containers, including recycling containers, shall be placed at the rear or side of buildings at a place which is reasonably inconspicuous and away from streets and places occupied by other persons. The location of containers which are one yard or larger in size on both public and private property shall be subject to the approval of the director of the department of public services or the director's designee. No refuse may be stored or accumulated which is contaminated by any garbage, unless stored as garbage. The area in and around all commercial refuse containers shall be kept clean and free from refuse. No refuse may be stored, disposed of or otherwise placed in a container belonging to another unless receiving permission to do so.

- (1) Containers for ashes shall be of metal or sturdy construction and must have adequate handles to prevent spillage.
- (2) Containers for refuse to be collected for residential property, other than those specified by the city for use with yard recyclables or recyclables, shall be of metal or plastic of ten- or 35-gallon capacity with tight fitting covers. When the refuse to be removed from any residential establishment exceeds the capacity of two regulation 35-gallon containers, such excess may be placed in durable nonmetal expendable containers.
- (3) The combined weight of any refuse or recycling container and its contents shall not exceed 60 pounds, except dumpsters.

(Code 1963, § 2.4; Ord. No. 1688, 11-9-98; Ord. No. 1936, 7-9-07)

## Sec. 90-32. - Disposition of refuse.

Refuse shall be disposed of only to the city collection service, except that any person may dispose of his own refuse:

- (1) By an approved garbage grinder located within a building.
- (2) If permitted by the director, by transporting the same to an authorized dump, but only in accordance with the rules and regulations pertaining thereto as adopted by the director. No person transporting any refuse in accordance with this section shall fail to securely cover and secure the load so that no part of such load shall be lost while being transported.
- (3) Recyclables and bundled and securely tied newspapers, when placed in the vicinity of the lawn extension for collection with the normal refuse pickup, shall become the property of the city.

(Code 1963, § 2.5; Ord. No. 1688, 11-9-98)

## Sec. 90-33. - Refuse storage.

The occupant of any premises within the city which any refuse shall be accumulated which is not disposed of in an approved garbage grinder, shall maintain on the premises the number of containers sufficient to conveniently store the normal accumulation of refuse on the premises over a period of not less than seven days. Every such container shall be kept tightly covered with an impervious metal or plastic cover except when opened for the deposit or removal of refuse. Refuse containers shall be kept in a clean and sanitary condition at all times.

(Code 1963, § 2.7; Ord. No. 1688, 11-9-98)

## Sec. 90-34. - Rates.

Charges for refuse collection shall be fixed by resolution of the city commission as set forth in the schedule of fees, charges, bonds and insurance and shall be collected from the premises receiving services under the terms of this article as provided by the city commission. Recycling containers that are not returned to the city prior to vacation of the premises by the owner or occupant shall be charged to the premises. The time and method of billing such charges shall be determined by resolution of the city commission.

(Code 1963, § 2.8; Ord. No. 1602, 10-17-94; Ord. No. 1608, 4-24-95; Ord. No. 1688, 11-9-98; Ord. No. 1731, 3-27-00; Ord. No. 2010, 2-8-10)

## Sec. 90-35. - Numbering of commercial buildings.

- (a) The owners and/or occupants of all buildings in the city used for retail sales and/or service, wholesale, mercantile, warehouse, office, contracting, or any other commercial or industrial uses shall cause the correct street numbers to be placed on the rear door adjacent to the rear entrance of such buildings.
- (b) Numbers shall be a minimum of three inches and not to exceed six inches in height, and may be composed of standard manufactured numbers, but, if painted on, must be applied with a standard-type number stencil. The numbers shall be placed in such a position as to be plainly visible from the alley, service drive, easement, parking lot or any other rear access.

(Code 1963, § 2.9; Ord. No. 1688, 11-9-98)

## Sec. 90-36. - Lien for delinquent charges.



- (a) Charges for refuse collection pursuant to the provision of Public Acts of 1947, No. 179, MCL 123.301 et seq., MSA et seq., and Section 5 of Public Acts of 1978, No. 345, MCL 123.315, MSA 5.2725(13), as may be amended from time to time shall be a lien upon the premises to which the service is rendered. Refuse collection shall be deemed a service rendered on the parcel of land where made.
- (b) Amounts delinquent for three months or more may be certified annually by the city treasurer to the city assessor who shall place the same on the next tax roll of the city. An additional penalty in an amount equal to 15 percent of the delinquent bill shall be added at the time the delinquent bill is entered on the tax roll. The time and manner of such certification and other details in respect to the collection of the rates and charges and the enforcement of the lien shall be established by the city commission by resolution. Such charges shall be collected and the lien enforced in the same manner as provided for the collection of taxes assessed upon the tax roll and the enforcement of a lien for unpaid taxes.

(Ord. No. 1608, 4-24-95; Ord. No. 1688, 11-9-98)

#### Sec. 90-37. - Refuse collectors.

Contractors providing refuse collection shall comply with the following requirements:

- (1) No refuse shall be collected until a refuse collector license has been obtained from the city and the applicable license fee has been paid as set forth in the schedule of fees, charges, bonds and insurance. The license fee shall be for the purpose of inspecting the vehicles and issuing the license.
- (2) Refuse shall only be collected between the hours of 7:00 a.m. and 6:00 p.m.
- (3) A list of all customers and the addresses where collection is performed shall be provided to the department of public services. This list shall be updated every three months.
- (4) All spills and messes occurring as a result of refuse collection shall be cleaned up immediately.
- (5) Failure to comply with these requirements may result in the revocation of the contractor's license.

(Ord. No. 1688, 11-9-98; Ord. No. 1937, 7-9-07; Ord. No. 2018, 2-8-10)

#### Sec. 90-38. - Storage of grease.

Animal or vegetable grease stored by businesses outside of their buildings must be kept in a self-contained, sealed, leak proof grease container which is approved by the director of the department of public services or the director's designee. The container and the area in and around the container must be kept clean. The name and address of the business must be clearly identified on the outside of the container. Any person or business found disposing of grease in the city sewer system shall be guilty of a misdemeanor and shall be responsible for the costs incurred by the city in cleaning up and disposing of the grease.

(Ord. No. 1688, 11-9-98)

**Draft Ordinance  
Solid Waste**

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND CHAPTER 90, SOLID WASTE, OF THE CODE OF THE CITY OF BIRMINGHAM:

**CHAPTER 90 SOLID WASTE, TO AMEND THE SOLID WASTE COLLECTION AND DISPOSAL STANDARDS FOR RESIDENTIAL AND COMMERCIAL USES.**

ARTICLE I. – IN GENERAL

**Secs. 90-1 – 90-24. – Reserved.**

ARTICLE II. – COLLECTION AND DISPOSAL

**Sec. 90-25. – Statement of purpose and goals.**

This ordinance regulates the disposition, storage, collection, and disposal of solid waste in the City of Birmingham. This ordinance has been adopted by the City of Birmingham to protect the public's health, safety and welfare; prevent nuisance; to protect air, surface and groundwater resources; to support the recycling of materials; to regulate the number, location, maintenance, and operation of solid waste facilities; and to support the intent of the City's Master Plan.

Where applicable, localized solid waste requirements supersede the general requirements outlined in this ordinance.

**Sec. 90-26. - Definitions**

For purposes of this article, the following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Approved garbage grinder* means garbage grinders which conform in all respects to the requirements contained in Chapter 22.

*Ashes* means residue from fires used for cooking and heating buildings.

*Bulky scrap metal* means metal wastes, including but not limited to metal box springs, metal awnings, metal railings, lawn mowers, bicycles, metal bed frames, metal shelving, furnaces, metal fencing, plumbing pipe, exercise machines, barbeque grills, garage doors and garage door runners, metal desks, metal playground equipment, aluminum siding, screen doors, small metal sheds, file cabinets, ladders, barbells, metal wheelbarrows; and residential appliances, including but not limited to, water heaters, water softeners, water tanks, washers, dryers, stoves, air conditioners and refrigerators and freezers.



*Bulky waste*, as utilized by SOCRRA, means large items of solid waste, including but not limited to furniture, mattresses, box springs, and other oversize wastes whose large size precludes their handling by normal collection, processing, or disposal methods. Bulky waste does not include bulky scrap metal items, move outs or oversized items.

*Commercial waste* means waste materials from businesses, factories and processing plants.

*Construction refuse* means waste materials resulting from alteration, repair or construction of buildings or structures.

*Dead animals* means carcasses of animals, fowl or fish.

*Director* shall mean the public services director of the City.

*Garbage* means animal and vegetable waste resulting from the handling, preparation, cooking and consumption of foods and all other organic matter subject to rapid decomposition. Garbage does not include dead animals.

*Household waste* means waste materials from single family homes.

*Litter* means all rubbish, refuse, waste material, garbage, offal, paper, glass, cans, bottles, trash, debris or other foreign substances of every kind and description.

*Mixed-use waste* means waste materials from buildings combining commercial, retail or office uses with apartment or condominiums with multiple units.

*Multi-family residential unit* means any individual dwelling that contains, is attached to or is a part of additional dwellings and/or has more than one residential address for the property, including mixed-use property that has more than a single residential dwelling.

*Multi-family waste* means waste materials from buildings containing apartments and condominiums with multiple units only.

*Newspaper* means newsprint, magazines, cardboard, corrugated boxes, paper boxes, wrapping paper, paperback books, junk mail and phone books.

*Recyclables* or *recyclable materials* means those materials which would otherwise become refuse and which may be collected, separated or processed and returned to the economic mainstream in the form of raw materials or products pursuant to SOCRRA's collection requirements, and/or are acceptable materials at the MRF. Examples include but are not limited to all plastic containers, glass (all colors), metal cans, small scraps, metal objects, cardboard boxes and large metal items.

*Recycling* bin or cart means a durable or disposable container owned by the city for the collection of recyclables only.

*Refuse* means those solid wastes as set forth in Michigan Public Act 641 which are acceptable for disposal in a type II sanitary landfill and shall not include any waste, or portion thereof, which is liquid, radioactive, volatile, highly flammable, explosive, infectious or pathological, asbestos,

special waste (including, but not limited to, municipal solid waste incinerator ash) or hazardous waste.

*Residential unit* means any individual living unit in a single family dwelling with a single residential address for the property.

*Rubbish* means miscellaneous waste material resulting from housekeeping, ordinary and commercial enterprises or waste transfer, including such materials as waste paper, ashes or rags and excluding hazardous waste.

*Yard waste* means compostable materials such as leaves, grass clippings, vegetable or other garden debris, shrubbery, brush or tree trimmings less than four feet in length and two inches in diameter, that can be converted to compost humus. The term excludes agricultural waste, animal waste, roots, sewage sludge, stumps, and treated wood

#### **Sec. 90-27. – Rules and regulations.**

The Director shall make such reasonable rules and regulations concerning the collection of refuse as they may deem proper, subject to the approval of the City Commission. No person shall fail to observe any rule or regulation so adopted and approved.

#### **Sec. 90-28. – Collection schedule.**

The City Manager, subject to the approval of the City Commission, shall establish a schedule for the collection of garbage and refuse and yard waste throughout the City and shall engage or provide the proper labor and equipment for carrying out such schedule. Such schedule shall provide not less than one collection weekly for residential areas.

*Schedule.* All garbage, recycling, yard waste and other refuse shall be placed at the lawn extension, or other designated collection area, no later than 7:00 a.m. on the day of garbage collection for residential units. No refuse may be set out more than 12 hours prior to the established time for refuse collection as prescribed by the Director, and all containers shall be removed from the extension or designated location within 24 hours after pickup. If waste is placed in the designated collection area after 7:00 a.m. and is not gathered by the waste hauler, all waste material must be taken from the designated collection area and stored in accordance with Sec. 90-31 of this Code until the next collection period.

Commercial and mixed-use waste generators must have all refuse placed neatly into the designated refuse container and placed in the designated collection area before closing the day before collection.

*Holidays and extreme weather events.* In the event that New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day occur on a weekday, collection for that date and the remaining days of that week shall be one day late. If extreme weather events are observed on the day of collection, collection shall be resumed upon the clearance of such event.

#### **Sec. 90-29. – Collection Procedures**



All refuse, recyclables, yard waste, and bulky items put out for collection must be contained and placed in conformance with the provisions of this article.

All refuse not considered a bulky item or bulky scrap metal as defined shall be placed in containers in accordance with Sec. 90-30. of this ordinance.

The owners and/or occupants of all buildings in the City used for retail sales and/or service, wholesale, mercantile, warehouse, office, contracting, or any other commercial or industrial uses shall cause the correct street numbers to be placed on the rear door adjacent to the rear entrance of such buildings.

Numbers shall be a minimum of three inches and not to exceed six inches in height, and may be composed of standard manufactured numbers, but, if painted on, must be applied with a standard-type number stencil. The numbers shall be placed in such a position as to be plainly visible from the alley, service drive, easement, parking lot or any other rear access.

*Solid waste and bulky waste.*

- 1) Residential units only - Bulky items, such as mattresses, furniture, appliances, doors, carpeting, or the like must be placed at the lawn extension or designated collection area in a neat and orderly fashion following the same schedule as regular refuse. Carpeting must be cut and rolled into rolls no longer than 4 feet long and tied. Other loose bulky items, construction refuse, bulky metal scrap, or the like must be organized in a refuse container, or securely tied together in such a way that promotes ease of collection. Items weighing more than 60 pounds such as pianos, cast iron tubs, play structures, or similar items, or items that present potential hazards to collectors such as mirrors, glass, or windows, must be arranged for special pickup.
- 2) Household upgrades, such as linoleum, lumber or small pieces of drywall, must be cut under 4 feet in length and placed into containers. Containers shall weigh no more than 50 pounds, and no more than 5 containers of household upgrades may be placed out for collection per week. Household upgrades to not include items produced by a contractor, landscaper, or builder or during remodels, additions, new construction, or new landscaping.
- 3) The City or its service providers may refuse to collect solid waste where such materials are not stored in compliance with the solid waste regulations including where snow and ice have not been removed properly or where access has not been properly prepared for service vehicles to access refuse containers. Refused refuse containers or bulky items will be tagged and left at the curb.
- 4) Solid waste containers (except dumpsters) may not weigh more than 60 pounds.

*Yard waste – residential units.*

- 1) Yard waste pickup shall be made available from the first full week of April until the third week of December 15<sup>th</sup>. The City's contractor shall not collect yard waste outside of the

stated timeline. All yard waste generated during that time must be taken to the designated recycling facility.

- 2) Leaves may be placed next to the curb during the period mid-October through November 30<sup>th</sup> in those streets having permanent surfacing, curbs and gutters.
- 3) For those properties not adjacent to streets having permanent surfacing, curbs and gutters, yard waste, if placed for collection, must be contained in City-approved bags or durable metal or plastic containers with decals displayed in accordance with regulations established by the Director. Improperly contained yard waste will be tagged and left at the curb.
- 4) Yard wastes may be composted, provided that the accumulation of this material does not exceed 125 cubic feet and does not emit odors offensive to a person of ordinary sensibilities.
- 5) Yard wastes, if put out for collection, shall be placed in durable plastic containers 10 to 35 gallon in size, or brown paper biodegradable bags. Branches two inches or less in diameter shall be cut to no more than four-foot lengths and tied securely and compactly in bundles less than 18 inches in diameter. Yard waste placed in containers clearly marked as yard waste or brown paper biodegradable bags shall not weigh more than 50 pounds. Dirt and soil should not be placed in yard waste containers, and sod, bushes, flowers or materials with root systems should be shaken thoroughly to remove all dirt before being placed into the container.
- 6) Yard waste pickup for multi-family units and commercial property shall be the responsibility of the property owner.

*Recyclables and recyclable materials.*

- 1) Recyclables shall be separated and placed for collection only in recycling carts obtained from the City. Improperly separated or contained recyclables will be tagged and left at the curb. Recycling containers shall remain the property of the City. Recycling containers shall not weigh more than 60 pounds.
- 2) All material, including broken down cardboard, Newspapers and shredded paper in clear plastic bags should be placed inside the recycling cart.

**Sec. 90-30. – Refuse containers.**

Any refuse accumulated or stored outside of a dwelling or building on any premises shall be placed in containers conforming to the requirements of this article. All containers, including recycling containers and yard wastes, shall be placed at the rear or side of buildings at a place which is reasonably inconspicuous and away from streets and places occupied by other persons.

*A. Household waste generators.*



- (1) Containers for refuse to be collected for residential property, other than those specified by the City for use with yard waste or recyclables, shall be of metal or plastic of 10-35-gallon capacity with tight fitting covers and handles. All refuse placed inside refuse containers must be placed in bags. Excess solid waste refuse not placed in containers must be placed in heavy duty plastic bags no less than 2 mils thick. Solid waste placed in heavy duty plastic bags shall weigh no more than 40 pounds.
- (2) The combined weight of any refuse or recycling container and its contents shall not exceed 60 pounds.
- (3) All refuse containers must be kept clean and in good repair.

*B. Commercial waste and mixed-use waste generators.*

- (1) Commercial waste and mixed-use waste generators with waste receptacles placed in a public or private alley or passage are to use an appropriate number of 50-gallon wheeled refuse containers or front load slant dumpsters not exceeding 4-yards. Commercial refuse containers must have hinged lids made of plastic or metal, and must be closed and locked when not in use. Refuse containers shall be kept neat, freshly painted, and in good repair. Commercial waste and mixed-use waste generators with waste receptacles placed on private property, or within the building envelope may use dumpsters up to 8-yards in size; or
- (2) Commercial waste and mixed-use waste generators may use a single vertical, self-contained trash compactor no greater than 6 yards. Trash compactors shall be kept neat, freshly painted, and in good repair. Any spills and/or leaks that occur during the compaction process must be cleaned and repaired immediately.
- (3) Commercial and mixed-use recycling shall be placed in an appropriate number of 50-gallon wheeled containers or one front load slant dumpster which are clearly marked as recycling only. Commercial recycling containers must have hinged lids made of plastic or metal and must be closed and locked when not in use. Recycling containers shall be kept neat, freshly painted, and in good repair.
- (4) Items stored as refuse must be placed in the appropriate waste receptacle. The area in and around all commercial refuse containers shall be kept clean and free from refuse.
- (5) Refuse containers are not to be placed in the public right-of-way unless otherwise agreed to in writing by the Director.

- (6) All permitted contributors to refuse containers must label their refuse containers with the business name, address, refuse collectors license number and phone number associated with the refuse container with a clear and durable label that is reasonably visible.
- (7) The commercial waste or mixed-use waste generator responsible for the refuse container must return containers back to their designated area in a neat and orderly fashion by the end of the collection day.
- (8) Adjacent business owners may deposit refuse into a container owned by a different business with a Shared Dumpster/Compactor Agreement with the City.
- (9) All commercial and mixed-use waste receptacles are to be screened in accordance with Chapter 126 of this Code.
- (10) Any changes to the approved refuse containers for any commercial or mixed-use property must be approved by the Planning Division.

C. *Multi-family waste generators.*

Multi-family refers to apartments and condominiums with multiple units. Any dumpsters that are provided for the residents shall be purchased or leased by the responsible parties of the complex. The refuse containers must abide by the following:

- (1) Solid waste containers, including dumpsters, must have hinged lids made of durable plastic or metal, be freshly painted, kept in good repair, and must be closed and locked when not in use. If space does not permit for dumpsters on site, all solid waste shall be stored in a secure shed, enclosure, or garage area. If solid waste volumes exceed the capacity of the containers on site, additional weekly trash pickups must be secured.
- (2) Items stored as refuse must be placed in the appropriate waste receptacle. The area in and around all multi-family refuse containers shall be kept clean and free of litter to ensure ease of access and upkeep.
- (3) Bulky item pickups are not provided as a part of weekly solid waste collection service for multi-family waste generators. Bulky item pickup shall be arranged as a special pickup. Bulk items that are arranged for special pickup must be set out for collection no more than 24 hours before the arranged collection time.



- (4) All spills and messes occurring as a result of refuse collection shall be cleaned up immediately, by the refuse collector.
- (5) Recyclables for multi-family waste generation sites shall be placed in either 18 gallon individual bins or shared 65 gallon carts, in a designated area for the complex.
- (6) Refuse containers are not to be placed in the public right-of-way unless otherwise agreed to in writing by the Director.
- (7) The multi-family waste generator responsible for the refuse container must return containers back to their designated area in a neat and orderly fashion by the end of the collection day.
- (8) All multi-family waste receptacles are to be screened in accordance with Chapter 126 of this Code.
- (9) Any changes to the approved refuse containers for any multi-family property must be approved by the Planning Division.

*D. Shared dumpsters and shared compactors.*

Commercial waste and mixed-use waste generators may share dumpsters and/or trash compactors. Dumpsters and/or compactors shall be shared between no more than 4-6 businesses. Those businesses sharing a dumpster or compactor must:

- (1) Enter into a Shared Dumpster/Compactor Agreement and register with the City. The agreement must be signed by all contributing businesses and updated upon changes to the agreement. The location of shared dumpsters must be approved by the Planning Division.
- (2) Comply with the rules and regulations outlined in Chapter 90 of this Ordinance in regards to dumpster and compactor size, maintenance, labeling, and screening.

**Sec. 90-31. – Refuse storage.**

All waste shall be stored in the following manner:

- (1) *Solid waste.* All solid waste shall be:
  - a. Gathered, stored and placed in a closed container or containers sufficient in number and size to store such waste over a period of not less than seven days;

- b. Stored and kept in a tidy and sanitary condition at all times;
- c. Shielded from public view upon the site of generation until no earlier than 4:00 p.m. on the day before refuse shall be picked up; and
- d. Not commingled with yard waste.
- e. Commercial waste storage must be screened in accordance with Chapter 126 of this Code. Any changes to the storage of commercial, mixed-use and multi-family refuse must be approved by the Planning Division.

(2) *Recyclable materials.* All recyclable materials not commingled with solid waste shall be:

- a. Placed in SOCRRA mixed recycling carts. Newspapers and shredded paper (placed in clear plastic bags) shall be placed inside the cart. No other plastic bags, such as grocery bags, may be placed inside of the cart. Cardboard boxes shall be broken down before placement into the mixed recycling cart; and
- b. Rinsed and cleaned before storage if metal, glass or plastic.
- c. Items such as plastic bags, electronic items, dead batteries, automotive batteries, Styrofoam and hazardous waste must be dropped off at a SOCRRA recycling center for recycling.

(3) *Yard Waste.*

- a. Shall be placed in durable metal or plastic containers 10 to 35 gallon in size with a yard waste sticker affixed to the exterior, or, brown paper biodegradable yard waste bags;
- b. Stored and kept in a tidy and sanitary condition at all times;
- c. Shielded from public view upon the site of generation until no earlier than 4:00 p.m. on the day before refuse shall be picked up; and

(4) *Commercial Grease.*

- a. Grease stored by businesses outside of their buildings must be kept in a self-contained, sealed, leak proof grease container which is approved by the Director of the Department of Public Services or the Director's designee.
- b. It shall be the responsibility of the tenant and property owner where a grease container is utilized and stored to maintain a clean and sanitary grease storage



area, including the container itself, the area directly surrounding the container, and to remove any grease trails created by the transport and disposal of such.

- c. The name and address of the businesses utilizing the grease container must be clearly identified on the outside of the container.
- d. Any person or business found disposing of grease in the City sewer system shall be guilty of a misdemeanor and shall be responsible for the costs incurred by the City in cleaning up and disposing of the grease.

**Sec. 90-32. – Disposition of refuse.**

Refuse shall be disposed of only to the City collection service or approved contractor, except that any person may dispose of his own refuse:

- 1) By an approved garbage grinder located within a building.
- 2) If permitted by the Director, by transporting the same to an authorized dump, but only in accordance with the rules and regulations pertaining thereto as adopted by the Director. No person transporting any refuse in accordance with this section shall fail to securely cover and secure the load so that no part of such load shall be lost while being transported.
- 3) Recyclables, when placed in the vicinity of the lawn extension for collection with the normal refuse pickup, shall become the property of the city.

**Sec. 90-33. – Reserved.**

**Sec. 90-34. – Refuse collectors.**

Contractors providing refuse collection shall comply with the following requirements:

- (1) No refuse shall be collected until a refuse collector license has been obtained from the city and the applicable license fee has been paid as set forth in the schedule of fees, charges, bonds and insurance. The license fee shall be for the purpose of inspecting the vehicles and issuing the license.
- (2) Refuse shall only be collected between the hours of 7:00 a.m. and 7:00 p.m. for residentially zoned parcels. All refuse collected from commercial and mixed use properties shall be collected between the hours of 8 p.m. and 7 a.m. The City reserves the right to adjust collection hours as needed for construction, extreme weather, emergency situations, or the like.
- (3) A list of all customers and the addresses where collection is performed shall be provided to the Department of Public Services. This list must be kept current and filed

with the Director of Public Services quarterly: January 1, March 1, June 1 and September 1.

- (4) All spills and messes occurring as a result of refuse collection shall be cleaned up immediately, by the refuse collector.
- (5) Failure to comply with these requirements may result in the revocation of the refuse collector's license.

#### **Sec. 90-35. – Rates.**

Charges for City refuse collection shall be fixed by resolution of the City Commission as set forth in the schedule of fees, charges, bonds and insurance and shall be collected from the premises receiving services under the terms of this article as provided by the City Commission. Recycling carts shall remain with the property prior to vacating the premises by the owner or occupant. If the recycling cart is removed from the property, the vacating owner or occupant of the property shall be charged for the cost of the cart. The time and method of billing such charges shall be determined by resolution of the City Commission.

#### **Sec. 90-36. – Violations and penalties.**

- a. No such person shall throw or deposit any refuse upon or into any street, alley or other property, public or private, except as specifically permitted in this article. It shall be the duty of every occupant of property and the owner of unoccupied property at all times to maintain the premises occupied or owned by the owner in a clean and orderly condition, permitting no deposit or accumulation of garbage or refuse upon such premises unless stored or accumulated as permitted by this article.
- b. *Violations.* A violation of this chapter is a municipal civil infraction and is further declared to be a nuisance per se and subject to abatement as provided in this code and by state law. Upon discovery of such a public nuisance, it shall be abated as follows:
  - 1. The City Manager, or their designee, shall by written demand either:
    - i. Serve upon one of the occupants of the premises upon which refuse has accumulated or the premises directly adjoining the public right-of-way upon which refuse has accumulated or upon the person to whom such premises are assessed for taxes on the then current tax rolls; or
    - ii. Post in a conspicuous place on such premises an order that the refuse be removed. If such demand has not been complied with within a 48-hour period, the City may remove such refuse and take such other action as may be required to abate the nuisance caused hereby. The failure to remove



such materials within the 48-hour period shall constitute an additional violation of this Code.

2. Upon determination by the City Manager, or their designee, that the nuisance created by the refuse constitutes a hazard to the public health, safety or welfare, he may cause the nuisance to be abated without the prior notice described in subsection (b)(1), above.
  3. The cost of any abatement pursuant to this subsection including, but not limited to, all administrative, labor, materials, storage, disposal, transportation, and other costs, incurred by the City shall be charged and billed against the owner or occupant of the premises or the individual or entity violating this section. In the event that these charges are not paid within 60 days after such billing, a special assessment shall be created if applicable pursuant to the provisions of Chapter 94 of this Code.
- c. No person except those employed or authorized by the City shall remove or cause to be removed any solid waste or recyclables which have been placed for collection pursuant to this chapter.
  - d. No person shall remove leaves from a property that is not adjacent to a street having permanent surfacing, curbs and gutters and deposit such leaves next to the curbs and gutters. In the event that it is determined that such leaves constitute a hazard to the public health, safety or welfare, the leaves may be removed by the City and the cost thereof shall be paid by the offender pursuant to subsection (b)(3) of this section.
  - e. No person shall remove leaves from a property and deposit such leaves next to a curb that is not adjacent to the property from which the leaves have been removed. In the event that it is determined that such leaves constitute a hazard to the public health, safety or welfare, the leaves may be removed by the City and the cost thereof shall be paid by the offender pursuant to subsection (b)(3) of this section.

*Penalties.* Civil infractions may be issued to property owners, tenants, and/or refuse collectors for violations under this section. Penalties for violations shall be as follows:

- a. *Residential and multi-family refuse generation site.* All violations of this chapter by owners or occupants of residential and multi-family generation sites pertaining to waste collected or generated on the property of the residential generation site shall be municipal civil infractions with fines listed in the Schedule of Fees, Charges, Bonds, and Insurances.
- b. *Commercial refuse and multifamily refuse generation sites.* All violations of this chapter by owners or occupants of commercial or multifamily generation sites pertaining to waste collected or generated on the property of the commercial or multifamily generation site

shall be municipal civil infractions with fines listed in the Schedule of Fees, Charges, Bonds, and Insurances.

- c. *Refuse collectors.* Penalties for violations by waste haulers shall be municipal civil infractions with fines listed in the Schedule of Fees, Charges, Bonds, and Insurances.

**Sec. 90-37. – Lien for delinquent charges.**

- a. Charges for refuse collection pursuant to the provision of Public Acts of 1947, No. 179, MCL 123.301 et seq., MSA 5.2725(1) et seq., and Section 5 of Public Acts of 1978, No. 345, MCL 123.315, MSA 5.2725(13), as may be amended from time to time, shall be a lien upon the premises to which the service is rendered. Refuse collection shall be deemed a service rendered to the parcel of land where made.
- b. Amounts delinquent for three months or more may be certified annually by the city treasurer to the city assessor who shall place the same on the next tax roll of the city. An additional penalty in an amount equal to 15 percent of the delinquent bill shall be added at the time the delinquent bill is entered on the tax roll. The time and manner of such certification and other details in respect to the collection of the rates and charges and the enforcement of the lien shall be established by the city commission by resolution. Such charges shall be collected and the lien enforced in the same manner as provided for the collection of taxes assessed upon the tax roll and the enforcement of a lien for unpaid taxes.

**Sec. 90-38. – Reserved**





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**MEMORANDUM**  
**Planning Division**

**DATE:** January 8, 2019

**TO:** Joseph A. Valentine, City Manager

**FROM:** Lauren Chapman, Assistant Planner

**APPROVED BY:** Jana L. Ecker, Planning Director

**SUBJECT:** Multi-Modal Transportation Board Update

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**INTRODUCTION:**

In November of 2013, the City of Birmingham adopted the Multi-Modal Transportation Plan (the Plan). The Plan had several goals for the City, including the formation of the Multi-Modal Transportation Board to review all transportation projects in the City.

The goal of the Multi-Modal Transportation Board is to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the City and to advise the City Commission on the implementation of the Multi-Modal Transportation Plan and to review all transportation projects.

**BACKGROUND:**

The City Commission created the Multi-Modal Transportation Board (MMTB) as recommended in the Plan. Since its formation, the MMTB has received extensive training in many areas of transportation planning. The purpose of this training is to provide all board members with a solid educated foundation of knowledge for their role in reviewing all of the City's transportation projects, both to ensure that they are designed in accordance with the goals and objectives of the Plan, and also in accordance with national best practices and current planning and engineering standards.

The City originally contracted with Greenway Collaborative, the transportation consultants who prepared the Plan to conduct extensive training for both W. Maple Steering Committee and MMTB members in preparation for the upcoming W. Maple 4 to 3 lane conversion discussion.

Over the course of several meetings in 2015 Mr. Norm Cox of Greenway Collaborative conducted training sessions focused on the following:

- Basic principles and the history of multi-modal transportation planning, including the evolution of transportation planning over the past 100 years, accident data trends for both vehicular and pedestrian crashes, design improvements and the increasing need for connectivity in the transportation system;
- How multi-modal planning can enhance a community, including numerous positive effects such as assisting seniors to age in place and continue to have accessibility, a reduction in inactivity of residents, a reduction in the severity and number of crashes and their social and economic tolls, and the need for multi-

- modal transportation to attract millennials and the creative class;
- Detailed descriptions of the basic types of data that traffic engineers and planners collect and study, including traffic volumes, vehicle turning movement counts, vehicle queuing, accident data and collision diagrams, peak hour vehicle delays and Levels of Service for intersections, sight distance measurements, pedestrian and cyclist counts, computer modelling and how this information is used when considering road improvements;
- Michigan's Complete Streets policy to ensure that all streets are designed for users of all transportation modes, ages and abilities, including training on road diets, bicycle facilities, pedestrian crossing improvements and the incorporation of transit into road design, all with the goal of creating safer streets.

In 2017, the City hired Fleis and Vandenbrink and MKSK as multi-modal transportation consultants to advise the MMTB on transportation projects and to provide ongoing training and education to the Board. To continue the training process, Fleis and Vandenbrink and MKSK prepared a list of current transportation topics and polled MMTB members to prioritize the timing of each training module. Since that time, City Staff, MKSK, and Fleis and Vandenbrink have conducted numerous training sessions at Multi- Modal Transportation Board meetings. Over the past several years, topics covered have included the following:

- Traffic calming measures, including the goals and objectives of such measures, a description of commonly used traffic calming measures, and the benefits of traffic calming;
- Warrant standards, presented by Julie Kroll of Fleis and Vandenbrink, including an overview of the warrant systems used by engineers to determine the type of traffic control system at intersections, including the specific standards that must be met to evaluate and warrant the use of yield signs, stop signs and traffic signals;
- Complete Streets presented by Brad Strader of MKSK, identified Complete Streets elements, and reviewed the history of Complete Streets and their benefits including increased safety and public health, reduced health care costs and reduced greenhouse gas emissions;
- Residential and commercial road standards recommended by engineering and planning experts such as the Traffic Improvement Association of Michigan (TIA), the American Association of State Highways and Transportation Officials (ASASHTO) , National Association of Cities Transportation Officials (NACTO), Institute of Transportation Engineers (ITE), the Urban Land Use Institute (ULI), Congress for New Urbanism, US Department of Transportation, Michigan Department of Transportation and similar organizations;
- Intersection signal timing systems, as presented by Justin Rose of Fleis and Vandenbrink, including an overview of signal options at intersections, signal timing, use of individual lane signals, and signal coordination to address traffic congestion;
- Recent advances in the development of autonomous vehicles, presented by Scott Shogan, PE, PTOE Connected/Automated Vehicle Market Leader, WSP, including a summary of the operation of autonomous vehicles, discussed some of the projects that auto companies are currently working on in this field and the potential implications for future urban and transportation design; and
- Integrated vehicle and infrastructure systems, also presented by Scott Shogan of WSP, a session explaining the function and operation of integrated vehicles and all of the required infrastructure needs for cities to use this technology, the status of this rapidly advancing technology and predictions as to how best to accommodate this technology in future urban and transportation design.

The training sessions assist in educating both Board members and the public on some of the various aspects and advances in the realm of transportation planning and engineering. The



training sessions are ongoing, and are recorded on DVDs that will be distributed to new board members upon joining the board in order to help prepare them for their new role. The next training topic that will be presented to the MMTB will be Transit and Mobility Oriented Development, including regional updates.

**DATE:** January 10, 2019

**TO:** Joseph A. Valentine, City Manager

**FROM:** Brooks Cowan, City Planner

**APPROVED:** Jana Ecker, Planning Director

**SUBJECT:** Parking Study for Commercial Districts

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**INTRODUCTION:**

The City Commission hired Nelson & Nygaard in the Spring of 2018 to conduct an evaluation of the City's parking system related to the structures and metered spaces. Nelson & Nygaard's findings were presented to City Commission on October 8<sup>th</sup>, 2018 and can be found on the City's Advisory Parking Committee website page. On August 27<sup>th</sup>, 2018, City Commission approved an addendum to the original agreement and expanded the scope of work for the contract with Nelson & Nygaard.

The additional study includes a review and analysis of the Zoning Ordinance's parking requirements for private development in commercial and mixed use zones in the Downtown Overlay, the Triangle District and the Rail District. The scope of work includes an evaluation of the Zoning Ordinance's current parking requirements and how they impact land use, density, size, location, and cost of development. It also includes a summary and analysis of current and future parking trends and best practices and will culminate in a final report with recommendations for changes to the parking requirements contained in the Zoning Ordinance.

**BACKGROUND:**

The Current Zoning Ordinance requires parking to be provided for all residential uses, including mixed-use buildings within the Parking Assessment District. However, there is one exemption where residential units located within existing second and third floors of landmark buildings in the Central Business Historic District as defined in Chapter 62 of the City Code do not have to provide parking spaces.

A desire to reduce or eliminate parking standards for all residential units has been raised in past meetings in order to reduce the cost of development and incentivize more density. Eliminating parking standards for residential units may attract smaller unit sizes and lower sale or lease rates for units. The Planning Board has discussed this issue several times over the past 10 years, and has reduced parking requirements for senior living options and outdoor dining areas.

Discussions about residential parking requirements also expanded into reducing parking requirements for all commercial uses. On June 18, 2018, the City Commission and Planning Board held a joint meeting to discuss such issues. There was general consensus that further study of



residential parking requirements was needed, and possibly a review of parking requirements for other uses as well.

On July 11, 2018, the Planning Board reviewed a draft proposal for planning, zoning and parking consulting services to conduct a review of residential parking requirements and future parking needs. The Planning Board expressed a desire to broaden the scope of study to office and other uses as well. They felt the parking standards reviewed should be contained to the Downtown, the Triangle District and Rail District which are all mixed-use commercial areas. Several Board members stated that the intent of the study should be clearly stated to increase the residential density in Downtown, the Triangle District, and the Rail District, while encouraging the new housing to be more affordable through the use of incentives, including but not limited to relaxed parking standards or bonus floors. The Planning Board also expressed a desire for the study to include current and future parking trends and best practices for parking standards to achieve the desired mix of residential and other uses in similar walkable communities.

On August 13, 2018, the City Commission reviewed the draft proposal for planning, zoning and parking consulting services. The City Commission requested several changes be made to the proposal, including the Scope of Work. On August 27, 2018, the City Commission approved a contract addendum to hire Nelson & Nygaard for planning, zoning and parking consulting services.

Nelson & Nygaard kicked off the project by reviewing our current parking standards and conducting research on strategies and best practices used in other cities. Nelson & Nygaard will also be hosting small round table discussions with various stakeholders throughout the City to discuss parking strategies and best practices. The purpose of these discussions is to receive input related to the impact of the Zoning Ordinance's parking requirements on private development. There will be three focus group meetings the morning of Wednesday February 6<sup>th</sup> and three meetings the afternoon of Thursday February 7<sup>th</sup>. The public is welcome to attend, and interested persons who are unable to attend either day may contact the City Planning department to note their comments, or schedule a time for a call with Nelson & Nygaard.

These small round table discussions are meant to help Nelson & Nygaard receive stakeholder input and allow them to better analyze the current parking requirements' effect on land use, density, size, location, and cost of development. The discussions are not intended to be related to the City's current or future public parking operations. The discussion topics and questionnaires are geared towards parking requirements on private property and how they impact private development. Parking discussions related to City operations and infrastructure will be handled by DPZ at a later time during the Master Plan process.

After reviewing and analyzing Birmingham standards and best practices and receiving public input, Nelson & Nygaard will provide a final report with recommendations for ordinance revisions to parking standards to attract additional affordable residential development in the City's mixed use districts.

ATTACHMENTS:

- August 27, 2018 Parking Study Memo and Scope of Work
- Relevant meeting minutes
- Nelson & Nygaard Trends and Best Practices report
- Invite letter
- Zoning Ordinance parking requirements
- Zoning Map
- Table comparing Nelson Nygaard parking study to DPZ Master Plan parking analysis





## MEMORANDUM

Planning Division

**DATE:** August 27, 2018

**TO:** Joseph A. Valentine, City Manager

**FROM:** Jana L. Ecker, Planning Director

**SUBJECT:** Planning, Zoning, and Parking - Consulting Services

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Currently, parking is required to be provided for residential uses on all properties, whether or not they are located within a Parking Assessment District. However, there is one exemption in the Zoning Ordinance that eliminates the parking requirement for residential units located within the existing second and third floors of landmark buildings located within the Central Business Historic District as defined in Chapter 62 of the City Code.

A desire to reduce or eliminate parking standards for all residential units has been raised in order to reduce the cost of development, thus reducing the amount charged for the sale or lease of residential units. The Planning Board has discussed this issue several times over the past 10 years, and has reduced the parking requirements for senior living options, and removed the parking requirement for outdoor dining areas. Both of these decisions were made to encourage senior living developments and outdoor dining options in the City, and this strategy has successfully attracted both as desired. The elimination of parking standards for residential units may attract smaller unit sizes and lower sale or lease rates for units as developers will not be required to build the cost of parking facilities into their development costs.

On June 18, 2018, the City Commission and the Planning Board held a joint meeting and discussed sending draft Zoning Ordinance amendments to the Planning Board for review to consider the removal of all residential parking requirements throughout the City. The City Commission and the Planning Board also discussed hiring a consultant to review our residential parking requirements and prepare recommendations and ordinance amendments to address their findings. There was discussion about utilizing the City's current parking consultant, Nelson Nygaard, to provide these services, along with MKSK, the City's planning and transportation consultant. While no decisions were made at the joint meeting, there appeared to be consensus that further study of residential parking requirements was needed, as well as potentially a study of parking requirements for other uses. The City Manager stated that a draft Scope of Work / Request for Proposals ("RFP") would be prepared and could be extended to Nelson Nygaard / MKSK (our current parking/land use consulting team who already has extensive knowledge of Birmingham) by way of an amendment to their current contract, or an RFP could be issued to solicit other consultants.

On July 11, 2018, the Planning Board reviewed the draft amendments to eliminate residential parking requirements discussed at the joint meeting. Several board members expressed concern that parking requirements for single family residential uses should not be eliminated throughout

the whole City. In addition, the Planning Board stated that ordinance amendments should not be considered until the parking study discussed at the joint meeting with the City Commission was completed. The Planning Board then reviewed a draft RFP for planning, zoning and parking consulting services to conduct a complete review of residential parking requirements and future parking needs. There was much discussion about broadening the scope of the study from just residential parking standards, to parking standards for residential, office and other uses as well. In addition, the Planning Board did not feel a City-wide study needed to be done, but rather that the parking standards and issues studied should be contained to Downtown, the Triangle District and the Rail District which are all commercial and mixed use areas with multiple family residential housing opportunities. Several board members stated that the intent of the study should be clearly stated to increase the residential density in Downtown, the Triangle District and the Rail District, while encouraging the new housing to be more affordable through the use of incentives, including but not limited to relaxed parking standards or bonus floors. Finally, board members stated that the study should also include current and future parking trends and best practices for parking standards to achieve the desired mix of residential and other uses in similar walkable communities.

Finally, on July 25, 2018, the Planning Board reviewed a revised draft of an RFP for planning, zoning and parking consulting services. Board members were pleased with the changes made to the prior version. Several members requested that language be added to inform consultants that this study would be used as a basis for further study of parking during the master planning process that the City will be conducting over the next several years. In addition, staff noted that a section on the number of meetings anticipated with staff and City officials would also be added. The Planning Board voted unanimously to recommend approval of the draft RFP to the City Commission.

On August 13, 2018, the City Commission reviewed the draft RFP for planning, zoning and parking consulting services. The City Commission requested several changes be made to the RFP and requested the Planning Division to bring it back to the City Commission for a further review upon completion of all requested amendments.

There was consensus that the Scope of Work be amended to reflect the comments made at the August 13, 2018 meeting. The edits were included in the final scope. Nelson Nygaard with MKSK serving as a subconsultant were invited to provide a quote for the additional services.

#### SUGGESTED RESOLUTION:

To amend the existing Nelson Nygaard contract for Parking Master Plan services dated February 12, 2018 to include additional scope to evaluate parking requirements as identified in the zoning code for both private developments and mixed use zone districts located within the Downtown Overlay, the Traingle District, and the Rail District. The work will be performed at a cost not to exceed \$17,640 to be paid using account #585-538.001-811.0000.



**AMENDMENT TO SERVICE AGREEMENT  
FOR PARKING CONSULTANT SERVICES**

**THIS AMENDMENT** to the Agreement dated February 12, 2018 by and between **CITY OF BIRMINGHAM**, having its principal municipal office at 151 Martin Street, Birmingham, MI 48009 (hereinafter sometimes called "City"), and **NELSON/NYGAARD CONSULTING ASSOCIATES, INC.**, having its principal office at 215 Park Avenue South, New York, NY 10003-1624 (hereinafter called "Contractor"), provides as follows:

**WITNESSETH:**

**WHEREAS**, the City of Birmingham has heretofore entered into an agreement for parking consultant services with the Contractor; and,

**WHEREAS**, the City of Birmingham desires to expand the scope of work to include additional services with respect to the Consultant's evaluation of the parking operation; and,

**WHEREAS**, the Contractor is willing to take on such additional scope of work.


**NOW, THEREFORE**, and in consideration of the respective agreements and undertakings herein contained, the parties agree as follows:

1. The parties agree the scope of work shall be expanded to include those items set forth in Attachment "A."
2. The foregoing work shall be paid for pursuant to the data set forth in Attachment "B."
3. All of the rest and remainder of the Agreement dated February 12, 2018 shall remain in full force and effect.

WITNESSES:



NELSON/NYGAARD CONSULTING  
ASSOCIATES, INC. (CONTRACTOR)

By:   
Its: Principal

CITY OF BIRMINGHAM (CITY)

By: \_\_\_\_\_

Andrew Harris

Its: Mayor

By: \_\_\_\_\_

J. Cherilynn Mynsberge, City Clerk

**APPROVED:**

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Joseph A. Valentine, City Manager  
(Approved as to substance)

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Timothy J. Currier, City Attorney  
(Approved as to form)

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Mark Gerber, Director of Finance  
(Approved as to financial obligation)

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Tiffany J. Gunter, Assistant City Manager  
(Approved as to substance)

(Approval is required in accordance with Sec. 2-289)



## ATTACHMENT A: SCOPE OF WORK



### INTRODUCTION

For purposes of this scope of work the City of Birmingham will hereby be referred to as “City” and the private firm will hereby be referred to as “Contractor.” References to the “parking requirements” shall generally refer to the parking requirements for private developments in commercial and mixed use zone districts located within the Downtown Overlay, the Triangle District and the Rail District as established in Article 4, Section 4.45 through 4.52, including Table A, of the Zoning Ordinance. A copy of the City’s zoning map is attached as Attachment “E”, to identify each of the zone district locations referred to in Article 4 that are also located within the Downtown Overlay, Triangle District and Rail District. In the downtown area, the City operates a public parking system that consists of 5 public parking structures providing roughly 3,580 spaces, three surface parking lots providing roughly 190 spaces and 1,070 on-street parking meters. There are also two private independently run parking structures located in the Central Business District. Outside of the downtown area, there is public, on street parking available on many streets, and limited permit parking for residents only on some residential streets. Please see Attachment “F” for a map of the City’s public parking facilities. The City’s public parking system has allowed for the development of a thriving downtown, with a mix of uses. However, development trends in recent years have brought new office and retail space, additional residential density, and a substantial increase in the occupancy loads for office uses as new designs feature open, collaborative workspaces to house more workers. All of these changes have resulted in increasing competition and need for public parking.

The following scope of work identifies planning and zoning consulting services needed to evaluate existing parking requirements in commercial and mixed use zone districts in the Downtown Overlay, the Triangle District and the Rail District and to provide recommendations for improvement based on current parking trends, increased parking demands of office users, future parking demand, emerging and innovative technologies and best practices in other walkable urban communities that lack viable mass transit.

The objectives of the City in conducting this review and analysis are as follows:

- To increase residential density in the Downtown Overlay, the Triangle District and the Rail District;
- To encourage the development of more affordable residential units;
- To evaluate the interaction of all demands on parking in Birmingham’s mixed use areas;

- To assess current zoning regulations for parking, evaluate and propose options and potential development incentives to meet the City's objectives; and
- To ensure that current and future parking demands will be met.

All work must be performed as specified accordance with the specifications outlined by the Scope of Work. The final report resulting from the Contractor's review and analysis of the City's parking requirements will be used by elected officials, city boards and city staff to implement amendments to the Zoning Ordinance, and to provide a basis for the parking discussion portion of the City's master planning process that will occur over the next two years.

## **SCOPE OF WORK**

This section shall constitute the Scope of Work and the Contractor shall perform the following services in accordance with the requirements as defined and noted herein to address the objectives noted above:

1. Project Coordination: The Contractor shall coordinate with designated City staff regarding schedule, deliverables and the scope of work. The Contractor shall attend a minimum of 3 public meetings in conjunction with the City Master Planning team.
2. Conduct an Evaluation of Current Parking Requirements: The Contractor shall complete a review and analysis of the City's current parking requirements for private development in commercial and mixed use zones in the Downtown Overlay, the Triangle District and the Rail District, including, but not limited to, standard requirements, the use of shared parking agreements, off-site parking allowances, and the permissible use of on-street parking to meet parking requirements for all permitted uses. The Contractor shall provide an analysis of the effect of the current parking standards on land use, the density, size, location and cost of residential units in the mixed use areas noted, the changes in parking demand caused by the increase in the number of office workers per square foot of space, and identify any unintended consequences arising from the use of the existing standards.
3. Provide a Summary and Analysis of Current and Future Parking Trends and Best Practices: The Contractor shall outline current and future parking trends occurring or expected to occur in other walkable urban communities of comparable size and character to Birmingham, with vibrant, mixed use areas and no effective mass transit. Trend analysis should include the consideration of emerging and innovative transportation technologies, the use of ride sharing systems and mass transit options. The Contractor shall also identify best practices for parking standards in comparable communities that assist the municipality in achieving a higher density of residential uses in a mixed use environment, and that assist in encouraging more affordable residential units in these communities.



4. Identify and Evaluate Parking Recommendations: Upon the completion of the steps above, the Contractor shall provide specific recommendations for updating the City's current parking regulations, providing development incentives and/or other related concepts to assist the City in meeting current and future parking demands, while increasing residential density in the Downtown Overlay, the Triangle District and the Rail District, and while encouraging the development of more affordable residential units in these areas. The Contractor shall then evaluate and prioritize recommendations based on the potential impact given Birmingham's local and regional market.
5. Presentation of Final Report: It is expected the consultant shall prepare and present the final report to the City.
6. Attendance at Meetings. The contractor shall expect to attend a minimum of three public meetings.

**Task Deliverables:**

- Final Report – Includes identification of key issues and opportunities, current state of the practice overview, and key findings and recommendations supporting the objectives for this project.
- Final Presentation – Summary of final report presentation to the City Commission.

## ATTACHMENT B – BUDGET

Following is a detailed cost proposal for the work described in Attachment A, including our engagement of Brad Strader of MKSK, to utilize his depth of understanding regarding Birmingham's zoning, development, and economic development conditions, policies, trends, and opportunities.

		Labor Costs			
		Thomas Brown	Brad Strader		
		Principal 1	Engagement Lead	Labor Hours	Cost
Total Billing Rate		\$180.00	\$190		
Task	Description				
<b>1</b>	<b>Evaluation of Current Parking Requirements</b>				
1.1	Code Review	4	2	6	\$1,100
1.2	Code Response Assessment	4	2	6	\$1,100
D	Tech Memo Summary of Key Findings	4	2	6	\$1,100
	Task Total	12	6	18	\$3,300
<b>2</b>	<b>Stakeholder Coordination &amp; Engagement</b>				
2.1	Kickoff Meeting	4	2	6	\$1,100
2.2	Stakeholder Interviews	4	4	8	\$1,480
2.3	Public Meetings	2	8	10	\$1,880
D	Tech Memo summarizing Key Findings	2	2	4	\$740
	Task Total	12	16	28	\$5,200
<b>3</b>	<b>Parking Code Trends and Best Practices</b>				
	Parking Trends and Best Practices	12		12	\$2,160
D	Tech Memo: State of the Practice Overview	4		4	\$720
	Task Total	16	0	16	\$2,880
<b>4</b>	<b>Recommended Code Changes and Strategies</b>				
	Recommended Code Changes and Strategies	12	2	14	\$2,540
D	Final Report	8	2	10	\$1,820
D	Presentation	4	2	6	\$1,100
	Task Total	24	6	30	\$5,460
<b>TOTAL</b>		<b>64</b>	<b>28</b>	<b>92</b>	<b>\$ 16,840</b>
<b>DIRECT EXPENSES</b>		<b>\$ 600</b>	<b>\$ 200</b>		<b>\$ 800</b>
<b>TOTAL COST</b>		<b>\$12,120</b>	<b>\$5,520</b>		<b>\$17,640</b>



**Joint Meeting Minutes**  
**City Commission / Planning Board**  
**June 18, 2018**

Mayor Harris stated that this is a workshop session where no formal decisions will be made. The purpose of this workshop format is to focus on problem definition and desired outcomes. Each Commissioner will have an opportunity to share their perspective and thoughts on problems and possible solutions, and to engage the Planning Board for input. Citizens will also have opportunity to make public comment at the end of the workshop meeting.

City Manager Valentine said the objective was to provide discussion items in order to clarify how the City should move forward on the following issues.

**B. PARKING STANDARDS**

Planning Director Ecker noted this issue has been discussed in the past. She explained that requiring residential units to provide parking has the consequences of:

- Inflating the cost of the residential units;
- Encouraging the building of larger units in order to be in-line with the cost; and,
- Discouraging the building of smaller apartment units because people would not be getting good value for their money and because the building would be unable to provide parking for each unit.
- This, in turn, reduces economic diversity in housing in Birmingham's downtown.

Planning Director Ecker continued:

- There has been past discussion of eliminating the residential parking standards altogether, and that the same option is being revisited this evening.
- Only historic landmark buildings adding residences on the second or third floor are currently exempt from the parking standards.
- An overview of how parking is usually provided as part of a residential building within Birmingham.
- The public parking system could be used for residential parking since residents require parking during off-peak, non-business hours.

City Manager Valentine suggested:

- A two-prong approach of hiring a consultant to clarify relevant considerations in making this change and asking the Planning Board to study the issue would be the most effective course of action.
- The City would ask its current parking consultant to further explore the land-use issues at hand. The consultant would work with two other firms currently familiar with the parking situation in Birmingham – Nelson-Nygaard and MKSK.

Mr. Boyle opined that there may be a conflict in asking parking industry experts to explore ways to reduce the need for parking in the City.

Commissioner DeWeese said:

- The residential parking requirement should be voided and a method of dis-incentivizing the creation of more office-space in Birmingham should be explored, so as to tax Birmingham's parking systems less.
- While dis-incentivizing more offices, he would like to see parking remain affordable for Birmingham's retail workers.
- The City's goal is to enable people to live and work downtown, and finding ways to increase the affordability is part of achieving the City's goal.
- Nelson-Nygaard or any other contractor hired for the project must be capable of handling Birmingham's particular parking circumstances and goals in order to offer the most relevant solutions.
- This issue should not be delayed until the Master Planning process, but the City must also ensure that the solutions reached will be compatible with the Master Plan's objectives.

Mr. Koseck affirmed the City should solicit the help of experts in parking and land-use in order to understand all the relevant factors. He continued:

- One-and-a-half parking spaces in the City costs between \$30,000 and \$40,000. Removing the parking requirement for a hypothetical \$800,000 unit would only reduce the cost of the apartment by 5%. This decrease would not make residential units significantly more affordable.
- Because of this, the goal needs to be clarified. If the goal is smaller residential units and more flexibility, there are many ways to pursue that.
- These considerations must be part of the Master Planning process.

Mayor Pro Tem Bordman noted:

- Metro Detroit's dearth of mass transit makes giving up a vehicle relatively unfeasible.
- Many Birmingham households have a car for each adult, meaning residential parking remains in high demand.
- Making residential units more affordable by eliminating the parking standards is a worthy goal, but Mr. Koseck's calculations imply that this change will not have the intended impact.
- If the goal is making residential units more affordable, then hiring a consultant with broader experience in that area would be necessary.
- Determining whether City has a goal of increasing affordable residential units gets to the heart of how Birmingham wants to define itself. This is a much more complicated and theoretical question than just parking.

Mr. Williams said:

- The issue at hand is land-use and not just parking.
- Because residents already perceive Birmingham as lacking sufficient parking, the City should be very cautious with how it proceeds.
- If MKSK and Nelson-Nygaard have the necessary experience with complex land-use issues, Mr. Williams is in favor of using them. If these two consultants do not have the necessary experience, however, they must be supplemented with another consultant.

Commissioner Nickita ventured:

- This about a specific use in a particular district, meaning it should be addressed as a parking issue and not a broader land-use issue.
- The land-use aspects would be explored during the Master Planning process.



- It would be wise to consider alternative consultants due to the issues raised by Mr. Williams, but Commissioner Nickita remains confident that Nelson-Nygaard would also be up to the task.
- Requiring parking is one of the most challenging aspects of developing high-density residences in cities. Developers are often forced to pass on developing in cities with more strict residential parking requirements.
- The parking requirements are a large part of why there are so many buildings with one, two, or three residences downtown.
- Shared parking is a very viable option in Birmingham because downtown parking is so underutilized in the evenings.
- Residents in urban areas are largely comfortable and familiar with off-site parking as long as the streets are safe and comfortable.
- The 2016 Plan had a goal of increasing resident-density downtown and this would be an effective way to do it.
- A study should specifically clarify whether and how much the parking standards correlate with a lower resident-density downtown.

Commissioner DeWeese pointed out:

- Some of the senior residences in Birmingham became possible in when the parking requirements were halved.
- Those residences still have parking available because of the less-frequent car use of their residents.
- The built-in cost of parking for downtown residents is likely higher than the cost to get a monthly long-term parking permit.
- Some parking standards should remain, but the more they can be reduced the more the Birmingham market will respond in a positive and desired manner.
- A resident should be guaranteed the ability to purchase access to parking downtown should they so choose.

Mayor Harris noted consensus regarding the need for further study of the issue.

City Manager Valentine said he would return with a proposed Scope of Work which, if approved, can be extended either to Nelson-Nygaard or bid out to other contractors.

## **Planning Board Minutes**

### **July 11, 2018**

#### **3. Residential Parking Requirements**

Mr. Baka recalled that on June 18, 2018, the City Commission and the Planning Board held a joint meeting and the consensus was that it would be worthwhile to have a consultant do an evaluation of our current parking standards, centered around residential. Thus, the draft amendments to eliminate residential parking requirements throughout the City as discussed at the joint meeting are provided, along with a draft RFP for planning, zoning and parking consulting services to conduct a complete review of residential parking requirements and future needs.

Mr. Share noted that if the goal is to get more dense and affordable housing in multiple-family areas, he is not sure that eliminating off-street parking in the R-1 Neighborhood makes sense because the streets would start to get clogged. Secondly, he was not sure about the concept that if you don't have to build off-street parking for residential it will incentivize affordable housing. Rather, he could easily see that what you would get is the same expensive housing with a higher profit margin to the developer.

Chairman Clein noted he didn't see anywhere that tells what the intent of the study is.

Mr. Williams was not convinced that eliminating the parking requirement would be a good idea throughout the City. People in the neighborhoods will object to that concept.

Ms. Whipple-Boyce was not certain this would encourage more affordable living Downtown.

Mr. Share thought maybe the question should be how to create more affordable housing in Multiple-Family Districts. Ask the consultant how to do that, and parking could be one component. Another might be to offer the developer a bonus floor or other ways to incentivize smaller, more affordable units. If the objective is what he understands it to be, then he felt a study like this is too narrow. Ms. Whipple-Boyce voiced her opinion that the board needs to also look at parking for office.

Chairman Clein suggested that instead of focusing strictly on residential, the RFP should focus on Downtown, the Rail and the Triangle. Indicate that there is a desire to increase residential density in a manner that brings smaller, more affordable units to the market. The board wants the consultant to help them understand current and future parking trends across comparable cities and understand the mix that they are trying to go toward, looking at office, retail, residential, and provide us recommendations.



## **Planning Board Minutes July 25, 2018**

### **2. Parking Requirements**

Ms. Ecker noted that on July 11, 2018, the Planning Board reviewed the draft amendments to eliminate residential parking requirements discussed at their joint meeting with the City Commission on June 18, 2018. Several board members expressed concern that parking requirements for single-family residential uses should not be eliminated throughout the whole City. Rather, the focus should be on the mixed-use areas in the Downtown, the Triangle and Rail Districts. In addition, the RFP should be broadened so as not to just study the residential parking standards, but look at parking requirements for other uses as well. Also, the board had directed staff to add the objective that the reason for the study is to try to increase the density of residential in those three mixed-use areas and also to encourage smaller, more affordable units within those areas.

Also on July 11, 2018, board members stated that the study should also include current and future parking trends and best practices for parking standards to achieve the desired mix of residential and other uses in similar walkable communities to Birmingham.

A revised draft RFP for a parking standards study incorporating the Planning Board's comments from the July 11, 2018 meeting was presented. Ms. Ecker suggested the idea of having the order of meetings set out as it is in the Retail RFP.

Mr. Boyle asked if there is some language that ties this study in with the Master Plan. Ms. Ecker thought the sense of the City Commission was that it should be separate. She said both of the RFPs that are looked at tonight are designed to be handled much quicker than the Master Plan process because the Commission sensed more urgency on those issues. Also, It is a good idea to acknowledge somewhere in these documents that the City is also embarking on a Master Planning Project.

Mr. Boyle suggested that language be added that demonstrates to the consultant that this study is part of a portfolio of policy activity that the City is engaging in with urgency on retail and equal importance for parking, building up to a Master Plan process.

#### **Motion by Mr. Boyle**

**Seconded by Mr. Williams to move the proposed RFP on parking standards to the City Commission with the suggested changes as noted this evening.**

**Motion carried, 7-0.**

#### **VOICE VOTE**

Yeas: Boyle, Williams, Clein, Emerine, Koseck, Ramin, Whipple-Boyce

Nays: None

Absent: Jeffares, Share

**DRAFT City Commission Minutes**  
**August 13, 2018**

**08-223-18 REQUEST FOR PROPOSALS – PLANNING, ZONING & PARKING CONSULTING SERVICES**

Planning Director Ecker reviewed her August 1, 2018 memo to City Manager Valentine and confirmed that any relevant information gleaned from Birmingham's previous parking studies would be taken into account as part of this project.

Mayor Pro Tem Bordman noted:

- Nothing in the RFP addresses the issue of office workers occupying spaces all day within Birmingham parking structures.
- Any references to the size of more affordable units should be excised because the objective is simply more affordable units, not necessarily smaller ones.
- That the seventh line, which begins "Urban communities...", should continue "that lack viable mass transit".
- Within the next sentence, three lines down, "smaller-sized" should be deleted, and the sentence should continue at "units in these areas," with "to evaluate the impact that the increase in office worker per square foot has on parking demand."
- Page eight, number two, the second-to-the-last line should be changed to "and cost of residential units in the mixed-use areas noted, the changes in parking demand caused by the increased number of office workers per square foot."
- Page eight, number three, the fourth line down should read "its comparable size and character to Birmingham, with vibrant, mixed-use areas and no effective mass transit."
- "Smaller" should be deleted from the top of page nine.
- Page nine, paragraph four, third-line-from-the-bottom should have "smaller sized" removed.
- Paragraph five on page nine, which calls for one town hall meeting, is inconsistent with paragraph seven on the same page which requires "two public engagement activities".

Planning Director Ecker clarified that the goal of paragraphs five and seven on page nine were to allow for some flexibility in the Contractor's public engagement activities while requiring one town hall as well.

Mayor Pro Tem Bordman said that intention was not clear.

Commissioner Nickita said the RFP must focus on the urgency of understanding the interaction of all demands on city parking, including office demands on parking, rather than emphasizing residential demands on parking.

Planning Director Ecker agreed to update the RFP to emphasize the interaction of all demands on city parking, encourage the development of more affordable residential uses, study how parking demands have changed, and related issues.

Commissioner DeWeese said he would like stronger language regarding recommended changes and directions for the consultant.

Planning Director Ecker said paragraph four on page nine aimed to address that.



Commissioner DeWeese confirmed he would like the language to be stronger and suggested that this be returned to the Planning Board since so many changes were recommended in the discussion.

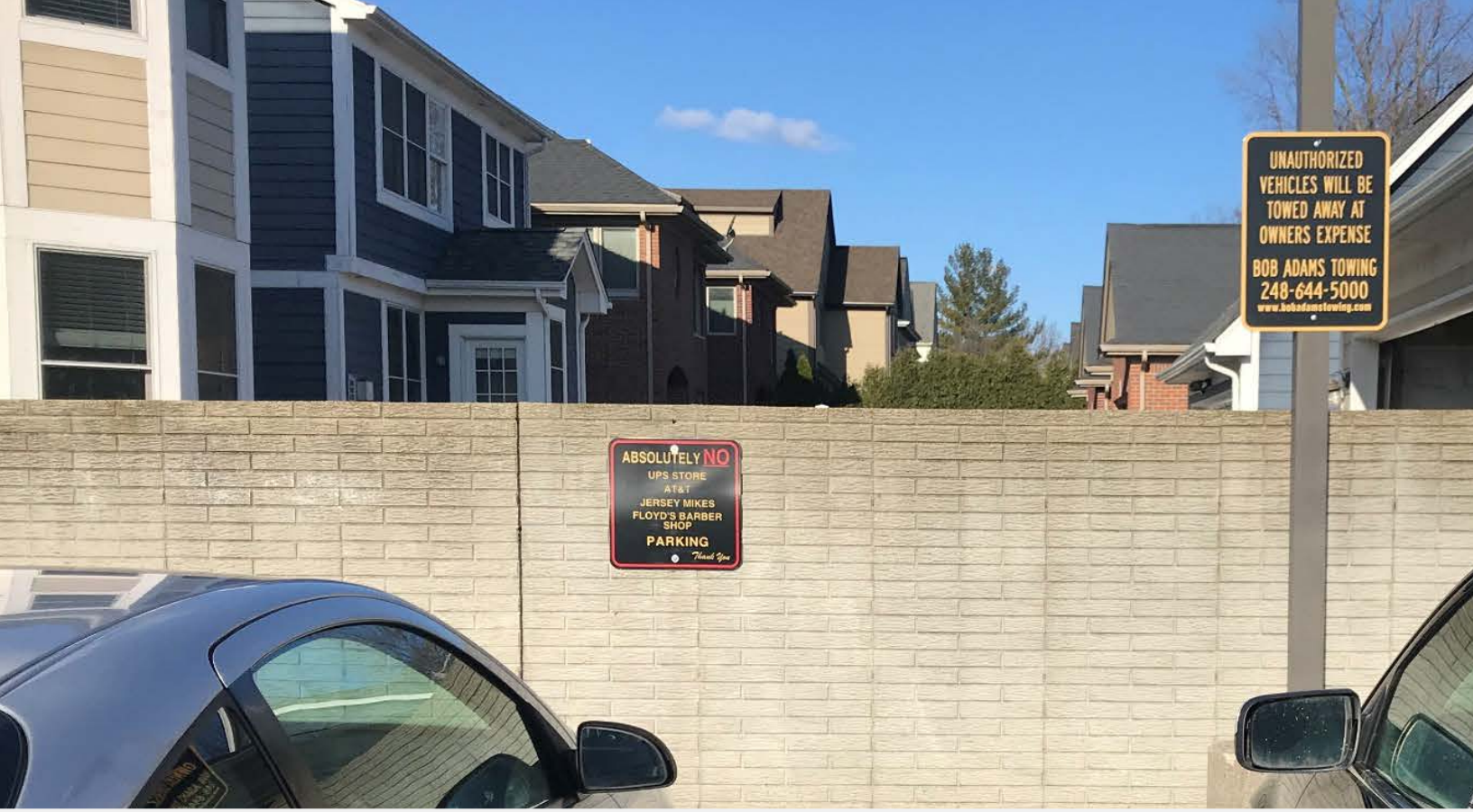
Commissioners Hoff and Boutros asked whether this study is necessary since parking will also be studied as part of the Master Planning process.

Mayor Pro Tem Bordman said this study:

- May be particularly valuable because parking continues to be an urgent issue.
- Could yield recommended ordinance changes that move Birmingham in the direction of its stated objectives.
- Could sufficiently explore parking issues so as to allow for lighter parking study during the Master Planning process.
- Should not be voted on tonight due to too many recommended changes.

Commissioner Hoff recommended that it might be most beneficial in terms of cost, familiarity with Birmingham's circumstances, and efficiency to approach Nelson-Nygaard to see if they are interested in expanding their scope of work to include this study.

Commissioner Nickita said parking discussions in the Master Plan are going to be more global than the intent of this study, and agreed with Mayor Pro Tem Bordman that the issue is too urgent to delay.



# Zoning Trends & Best Practices for Walkable-Urban Districts

## **Downtown Parking Plan: Zoning Strategies Assessment**

City of Birmingham, Michigan

**December 2018**



Contents

General Strategies & Practices ..... 1

Parking District Approaches..... 5

Code-Supportive Practices ..... 8

Figures

	Page
Figure 1	Downtown Chattanooga Form-Based Code Parking Requirements ..... 2
Figure 2	River Arts Form District Parking Requirements..... 3
Figure 3	Flats at Bethesda Avenue, Bethesda, MD ..... 8
Figure 4	Private Lot with Public Payment after 5pm – Asheville, NC ..... 10
Figure 5	Park Omaha map showing City & Partner Off-Street Parking ..... 11
Figure 6	Partners Application Portal..... 12
Figure 7	Park Omaha map showing City & Partner Off-Street Parking ..... 13



# General Strategies & Practices

## Shared Parking Strategies

### Crediting Off-Site Parking

#### Chattanooga, TN

- Off-site parking less than 300 feet from the site can be counted towards the parking minimum.
- Off-site parking between 300 and 900 feet of the site can be counted towards 25% of the parking minimum.

### Reducing Requirements for Shared Parking

#### Cincinnati, OH

For a development consisting of two primary use types, the City’s FBC provides a matrix of ratios linked to pairs of use types to identify a factor by which the “sum of the required parking for the two use types shall be divided”.

Land Uses	Residential	Lodging	Office	Retail
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail	1.2	1.3	1.2	1.0

A 20-space parking requirement for a proposed development for apartments built over office space, for example, would be divided by 1.7 for a reduced requirement of 11.76 (rounded to 12 spaces).

#### Arlington, VA

Developers can reduce the overall parking requirement for mixed-use projects by demonstrating shared-parking efficiencies to reduce overall parking demand, **as calculated using the Urban Land Institute’s shared parking model**, with the analysis confirmed by an independent party.

### Incentivizing Shared/Public Parking

#### Knoxville, TN

The table below identifies parking ratios for both minimum requirements and **maximum caps on “reserved” parking spaces**, which the code defines as “those spaces designated for a specific unit or use.” This use of a parking maximum both reduces the risks over overbuilt parking in walkable-urban areas and incentivizes the provision of shared/public parking by developers who want more

parking, or whose investors insist upon more parking, than a standard, fixed maximum would allow.

Land Use	Minimum Required (spaces)	Maximum Allowed as Reserved Parking (spaces)
<b>Household Living</b>		
0-1 Bedrooms	1 per unit	2 per unit
2 Bedrooms	1.5 per unit	
3 Bedrooms	2 per unit	
4+ Bedrooms	2.5 per unit	
Guest Parking (multifamily only)	0.125 per unit	0.25 per unit
<b>Other Uses</b>		
Commercial	None	3 per 1k SF of GFA
Industrial		
Other		

## Simplified Code

### Condensing Land Use/Requirement Ratio Tables

#### Chattanooga, TN

The following table represents a **radically simplified table** of parking requirement ratios for land uses, as set in the Form Based Code for its downtown.

**Figure 1 Downtown Chattanooga Form-Based Code Parking Requirements**

Land Use	Minimum Parking Requirement (spaces)
Multi-unit living (3 or more units in a single structure)	1 per unit
Live/work unit	1 per unit
Commercial	1.25 per 1k sf
Industrial	0.75 spaces per two employees on the combined two largest successive shifts

#### Asheville, NC

The following table represents a **more moderately simplified table** of parking requirement ratios for land uses, as set in the River Arts Form District, covering the River Arts District,

neighborhood/commercial district just outside of downtown that has attracted significant growth and investment by emphasizing its walkable built form and mix of street-activating retail, culture, and food/beverage destinations.

**Figure 2 River Arts Form District Parking Requirements**

Land Use	Vehicle Parking (spaces)
Residential	0.75/unit
Place of Worship	greater of 1/4 seats or 1/40 sf
High School	0.5/classroom + 1/5 students
Elementary/Middle School	0.5/classroom
Other Public/Institutional	1/500 sf
Recreational	1/500 sf + 1/1k sf of outdoor use area
Food/Beverage/Entertainment	1/250 sf
Lodging	0.75/guest room
All Retail	1/500 sf
Industrial	1/500 sf office space + 1/3k sf non-office sf
Other	None

## Demand-Reduction Strategies

### Setting Bike Parking Requirements

Three, key best practices that have emerged to become standard practice for walkable-urban districts are:

- Setting bike-parking requirements independent of auto-parking requirements
- Framing requirements to include proportions for short-term (easily found and accessed rack) and long-term (sheltered/indoor, not necessarily publicly-accessible) facilities
- Complementing with design standards

### Asheville, NC

The recently-adopted form-based code for the City's River Arts District incorporates the first two of these best practices.



Land Use	Required Bike Capacity	Required ST/LTRatio
Residential	0.5 per unit + 0.25 per bedroom in excess of two bedrooms	80/20
Place of Worship	1 per 5k SF, 2 minimum	90/10
High School		
Elementary/Middle School		
Other Public/Institutional		
Recreational	1 per 2,500 SF, 2 minimum	80/20
Food/Beverage/Entertainment		
Lodging		
All Retail		
Industrial	1 per 5k SF, 2 minimum	20/80
Other	None	--

## Cambridge, MA

Minimum facility-design standards:

- Long-term bicycle parking must be enclosed and within 200 feet of a pedestrian entrance. Parking may also be shared between nearby uses or buildings.
- Short-term parking must be reasonably located within 50 feet of a pedestrian entrance, but if not feasible, an in-lieu fee may be paid towards a public facility.
- Bicycle racks and lockers must meet certain design guidelines including size and number of bicycles for each type of parking facility.
- Bicycle parking access must meet standards such as minimum width, maximum grade change, and be illuminated

## Incentivizing Unbundled Parking

### Montgomery County, MD

In the County's key commercial centers, offering residential parking only as an optional amenity, with a cost separated from the purchase or lease of a residential unit, reduces the baseline minimum parking requirement to the following.

- Efficiencies and 1-Bedrooms – 0.5 spaces/unit
- Larger units and Townhouses – 0.75 spaces/unit

## Crediting Multimodal Mobility Amenities

Many cities have begun providing parking requirement credits/reductions in exchange for the inclusion of amenities that improve and/or expand on-site mobility options.

### Bike Parking: Arlington, VA

A reduction of two required car parking spaces for every 10 “Class 1” secure bike parking spaces provided beyond the standard requirement/s.

### Car-Share Parking: Bozeman, MT

- A car-sharing agreement may be used to reduce the parking required for residential uses in projects with more than five dwelling units.
- Each car-share vehicle is counted as five standard spaces.
- The maximum reduction is set at 50% of the total.

### Car-Share Parking: Arlington, VA

For every car-sharing space with a documented service guarantee of at least three years, a developer can subtract five parking spaces from the minimum number of resident spaces required.

- The overall reduction cannot exceed 50% of the total parking spaces required
- This would not reduce the developer's requirements for providing accessible parking spaces or visitor parking spaces.

### Changing Facilities: Montgomery County, MD

- The required number of vehicle parking spaces is reduced by three (3) spaces for each non-required changing facility.
- A changing facility must include a shower and lockers provided separately for each gender.

## Parking District Approaches

Below are two of the most common approaches to providing an option to fund a public parking district, as an alternative to meeting minimum parking requirements – which typically require accessory, on-site parking.

### In Lieu Fees

The most commonly used approach is to establish an In Lieu Fee (ILF) option, to allow developers to pay a fee for each required parking space they do not provide on their project site. Fee revenue is collected into a fund dedicated to the construction, maintenance, operation, and/or management of public parking structures with the area in which the ILF is applicable. In many cities, this fund can also be used to finance non-parking mobility improvements, particularly if the improvements are likely to help reduce parking demand.

## Case Study Examples

### Berkeley, California

The City of Berkeley, California recently adopted an In Lieu Fee policy, including a “graduated” fee scale, based on development size and the number of required parking spaces waived. A key advantage of a graduated fee scale is that it makes the fee option particularly affordable for infill projects, while creating an incentive for larger projects to provide on-site parking. This latter incentive can be particularly effective when combined with joint-development opportunities and/or zoning code provisions that encourage shared parking at private developments.

The fee schedule and proposed uses for the collected funds of the program were developed in a workshop with city staff and the Metropolitan Transportation Commission (MTC). After considering a variety of approaches and fee levels, the fee schedule was set in the following graduated range:

- \$15,000 per space for spaces 1-5 waived or reduced,
- \$20,000 per space for spaces 6-15 waived or reduced,
- \$25,000 per space for spaces 16-25 waived or reduced, and
- \$30,000 per space for spaces 26 and greater waived or reduced.

Such a graduated, or progressive, fee structure creates a strong incentive for “infill” projects to opt for the fee option, while encouraging larger projects, most of which will have sites more amenable to efficiently-scale parking facilities, to provide on-site parking. If complemented by a municipal parking program positioned to develop joint-use projects, with public parking in private development, this approach can be particularly promising.

## Assessment Districts

An alternative approach is to establish an assessment district, within which property owners are obliged to pay an assessment, typically annually, which helps to fund public parking for the district. Typically, these properties have their parking requirements waived, as the public parking is meant to meet all district parking needs. In some cases, however, a property’s assessment is reduced if it includes on-site parking. As with an ILF program, assessment revenue is typically collected into a dedicated fund to pay for a public parking program, and sometimes for parking-related mobility improvements.

## Case Study Examples

The following series of case study examples was assembled to inform an evaluation of potential improvement opportunities for the widely successful Downtown Birmingham Parking Assessment District program.

### Sunnyvale, CA

For over 50 years, the City has had the authority to tax properties within the downtown to fund public parking construction, operation, and maintenance. The Downtown Parking Maintenance District is broken into four separate zones. Within the District, developers have no on-site parking requirements, allowing/incentivizing them to build out active uses to their sites’ full potential. Owners of District properties pay an annual assessment, which is set individually for each zone,



based on the operation and maintenance costs of its parking facilities. The operation and maintenance costs are calculated for the zone first, then pro-rated to each parcel.

The City's Public Works department sets these assessment levels annually, and must be approved by City Council. Assessments are collected by the Santa Clara County Tax Collector. To date, the assessments, plus user fees, have been sufficient to fund the City's public parking program.

## Palo Alto, CA

The City of Palo Alto has two Parking Assessment Districts, the University Avenue District (downtown) and the California Avenue District, each of which benefits from public parking in surface lots and structures. The construction and purchases of these parking facilities was funded through bonds, the annual payments on which are now paid for through assessment district fees. These fees also pay for capital improvements, while parking fee revenue funds the operation and maintenance costs for the district parking systems.

The University Avenue District assessments are based on property square footage. The California Avenue District assessments are assessed to individual properties based on 1) the property's parking requirement (75% of the assessment) and 2) parcel size (25% of the assessment). In both districts, on-site parking capacities are credited against a property's assessment. Annual meetings are held to allow each property owner to review and question the computation of his/her assessment.

## Montgomery County, MD

The Montgomery County Department of Transportation's Division of Parking Management (DPM) maintains the County's Parking Lot District (PLD) program, through which public parking maintained and managed in the cities of Bethesda and Silver Spring. This includes all on-street parking and several off-street facilities in each city, providing a shared pool of parking spaces managed to accommodate the diverse parking needs of each area. These parking resources also provide a viable alternative to on-site parking at new developments in these high-growth areas, which has allowed both to emerge as highly walkable, bike-friendly, and transit-accessible urban centers. In recognition of this connection between balanced mobility and economic/population growth, DPM has increasingly used parking revenue to fund area improvements that make these areas more accessible on foot, bike, train, and bus.

The majority of funding for this program has come from a property-value assessment. Since adopting a demand-based pricing approach for its parking assets, the County has been able to retire the annual assessment.

# Code-Supportive Practices

## Joint Development

Joint-development that incorporates public parking with private land uses can be used to both reduce barriers to desirable mixed-use development, by providing on-site parking at no or reduced cost to the developer, and increase the design quality of new parking facilities. Furthermore, when built in lieu of accessory parking, joint-development helps to emphasize the municipal parking system, and the inherent efficiencies and shared-benefits it offers, to support area growth. Combined, these benefits suggest joint-development as the ideal model of supply expansion for shared parking districts.

### The Flats at Bethesda Avenue, Montgomery County

The Flats at Bethesda Avenue, located in Bethesda, Maryland, is a mixed-use development on 1.4 acres of land, completed as a joint-development between a private developer and Montgomery County, through its Parking Lot District program. The project includes 162 residential units, including 38 affordable workforce-housing units. It also includes 28,000 square feet of retail on the ground floor, primarily occupied by restaurants and food and beverage retailers.

**Figure 3** Flats at Bethesda Avenue, Bethesda, MD



Source: <http://www.flatsatbethesdaavenue.com/gallery/>

## Meeting County Objectives

The County's primary goal for the development was to increase the public parking supply without creating stand-alone parking facilities. The County released a Request for Proposal inviting private developers to proposed plans to purchase two PLD lots, which contained 279 public

spaces, and build 980+ public parking spaces underground as part of a mixed-use development. The request stipulated the development of private residences and retail above the parking facility, as well as a requirement for 15% of housing to be offered as affordable units.

The winning Bethesda Flats proposal incorporated these minimum criteria, and brought benefits beyond these efficiencies, using location, programming, and design to emphasize non-driving mobility. Four of six elevators are oversized, allowing cyclists to easily bring their bicycles up to the Capital Crescent Trail. The garage also provides 24/7 security, energy-saving fluorescent lighting, six electric vehicle charging stations, wayfinding and signage, and hand-made art glass windows, all creating a welcoming, safe, and secure pedestrian environment.

The four-level underground garage that was built for the project is owned and managed by the County, while everything above it is owned and managed privately.

## Shared Parking Platforms

### Monetizing Off-Hour Capacities via Pay by Phone

#### Asheville, NC

Drivers in downtown Asheville can pay for the City's on-street parking using the Passport Parking App. Signage denotes the parking zone and provides instructions to pay for parking using a cell phone. If users do not have a smartphone, they can still pay using their phone by calling a number and specifying the zone or by texting a code (after registration).

Recently, private lot owners approached Passport, the third-party provider of Asheville's parking app, to become part of the same payment system. Passport assigns the lot a "Zone," and incorporates the lot into the app with the other Asheville parking resources. The lot owner posts signage describing the rates and regulations for the lot. Some lots maintain their private parking for periods of the day and convert to public parking in off-hours. Others operate as privately-owned, public parking throughout the entire day. Either way, private lot owners are able to take advantage of the city's easy-to-use parking system without giving up control of the lot itself.



**Figure 4** Private Lot with Public Payment after 5pm – Asheville, NC



## Providing Pricing & Information Platform

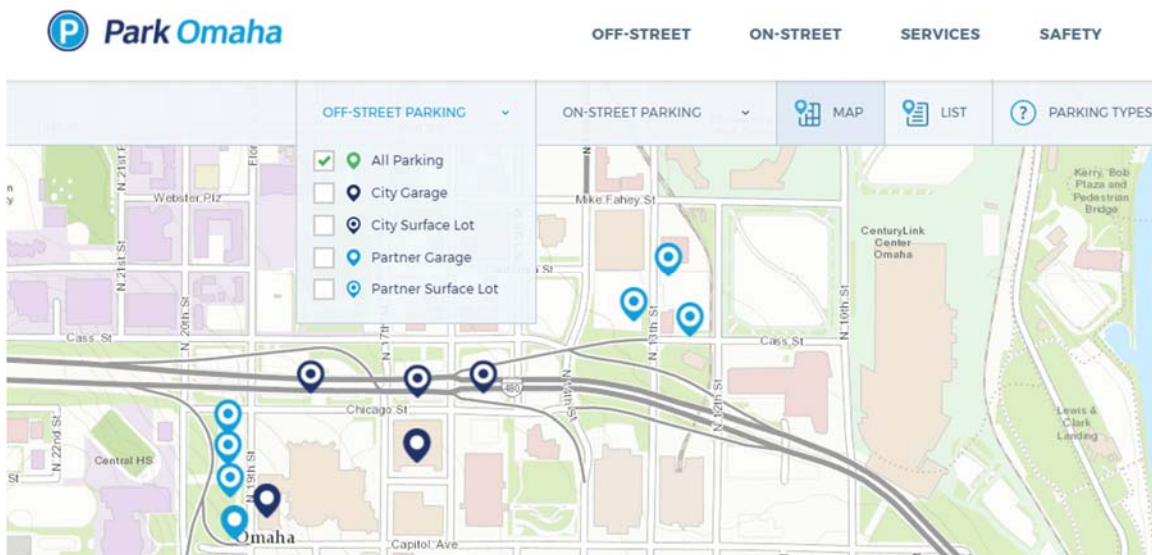
### Omaha, NE

The City of Omaha recently branded the Parking Division of its Public Works Department as Park Omaha to signal a commitment to provide coordinated and strategic management of its on- and off-street parking resources. A key component of the Park Omaha mission was to set up a system to incorporate private parking facilities as a means to avoid building more City facilities. “We want to maximize efficiency, minimize frustrations and develop an extensive shared parking network.”<sup>1</sup>

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<sup>1</sup> <https://parkomaha.com/about/>

**Figure 5** Park Omaha map showing City & Partner Off-Street Parking



Source: <https://parkomaha.com/map/>

A key component of these efforts is the highly successful, Park Omaha Partners program.

Park Omaha launched the Park Omaha Partners program to “boost the number of public parking spaces and help visitors easily locate them in the popular downtown area”.<sup>2</sup> The program provides a user-friendly, online process for property owners to offer their unused spaces, at a specified schedule, to the Park Omaha network through a shared parking agreement. The process begins with an online application – see below.

Accepted Partner locations are added to the [Park Omaha interactive map](#). An expanded map view also provides information on rates, hours of operation and payment options. Park Omaha identifies these facilities, as “partner” facilities, and distinguishes them from Park Omaha facilities, in its maps and information materials. As Partner facilities, private lots are given official (copyrighted) signage/iconography with a distinct logo that identifies them as part of the City parking system, while indicating that hours of access, rates, and other regulations may vary from standard Park Omaha facilities. The copyrighted branding helps to prevent unapproved private lots from using the same design and calling themselves Park Omaha Partners.

One of the key tools to make this work has been facilitating payment via the [Park Omaha App](#). Partner facilities are given a unique payment-zone designation to use this mobile-payment system, allowing drivers to pay for parking exactly as they would in a City facility. Payment revenue goes directly to the facility owners, thus allowing private facility owners to monetize their excess parking without having to set up payment systems. This has been a critical component in recruiting new Partners to the program.

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<sup>2</sup> <https://parkomaha.com/about/park-omaha-partners/>

**Figure 6     Partners Application Portal**

**Interested in becoming a Park Omaha Partner?**

If your residential or business building has unused parking spaces (for example after 5 p.m. or on weekends) and you would like to be part of the shared Park Omaha Partner program, fill out the form below or call City of Omaha Parking Division at 402-444-PARK to learn more.

NAME OF FACILITY

LOCATION OF FACILITY \*

TYPE OF FACILITY \*

AVAILABILITY \*

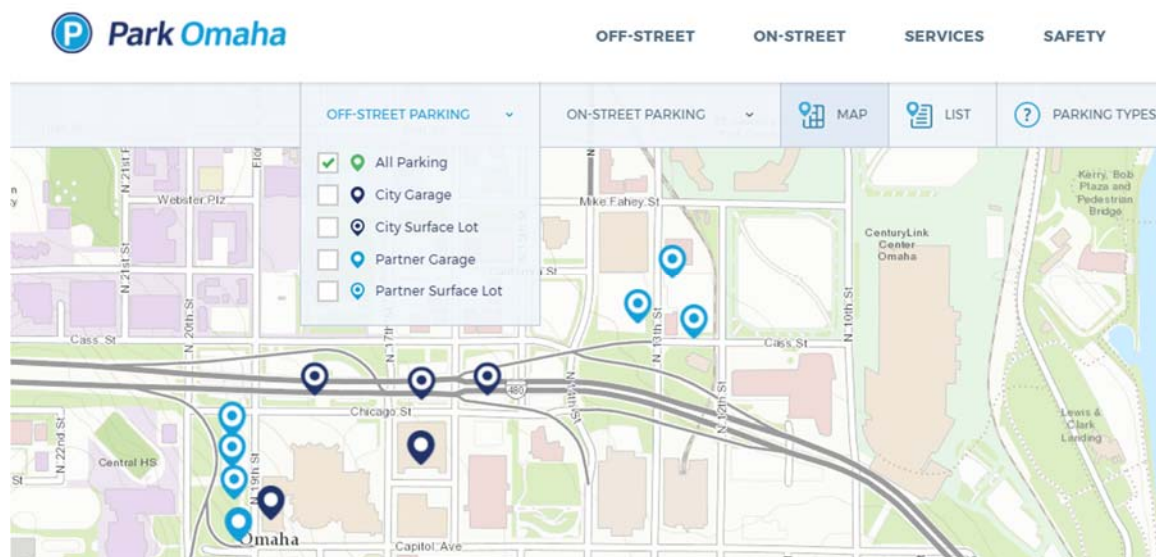
How many spaces will you have available for public parking?

HOURS/RATES \*

Source: <https://parkomaha.com/about/park-omaha-partners/>



**Figure 7** Park Omaha map showing City & Partner Off-Street Parking



Source: <https://parkom>

Dear Birmingham property owners, business owners, and building developers (Name Mailer);

As you may know, during the summer, the City of Birmingham hired a team led by Nelson/Nygaard, a firm with national expertise on parking management to evaluate Birmingham's parking system for the Downtown. Their recommendations were presented to the City Commission on October 8<sup>th</sup>, 2018 and are available on the City's website in the Advisory Parking Committee page. As a follow-up to that study, we have asked the same parking experts to review the city's parking requirements in the zoning ordinance and the impact it has on commercial, residential, and mixed-use development within the Downtown, Triangle District, and Rail District and suggest any potential changes. Their report will compare the city's standards to best practices for similar cities, and include an analysis of the current parking requirements' effect on land use, density, size, location, and cost of development.

To help with this project, the city is seeking input from property owners, business owners, developers, brokers, and residents. We have identified you as someone who may have opinions on this subject that you would like the City to consider. We would appreciate if you can participate in a focus group discussion with other stakeholders impacted by the current parking requirements and to provide input. We will discuss topics such as changes to the parking ratios, crediting off-site parking, and incentivizing shared parking. These discussions are meant to be less about the public parking system, and more about the Zoning Ordinance's parking requirements for private development. Please find the attachment of best practices throughout the country for a more in depth article on trends and concepts that are being considered as part of this study.

There will be six focus group discussions. Please let us know which of the following time slots works best for you. We are looking for total groups of 6-10 people for each session. If you are interested, but not available during one of those times slots, feel free to contact Brooks Cowan at the city and we can note your comments or schedule a time for a call with our consultants.

- ☐ Wed Feb 6 9:00-9:45 PM
- ☐ Wed Feb 6 10:00-10:45 PM
- ☐ Wed Feb 6 11:00-11:45 PM
- ☐ Thur Feb 7 2:00-2:45 PM
- ☐ Thur Feb 7 3:00-3:45 PM
- ☐ Thur Feb 7 4:00-4:45 PM

## 4.45 PK-01 General Parking Standards

This Parking Standards section applies to the following districts:

R1A R1 R2 R3 R4 R5 R6 R7 R8 O1 O2 P B1 B2 B2B B2C B3 B4 MX TZ1 TZ3

The following parking standards apply:

- A. Duty of Continuing Compliance: The owner and occupants of real estate on which new buildings have been built after March 31, 1958, and the owner and occupants of real estate on which buildings, whether built before or after March 31, 1958, are substantially altered or additions made thereto after March 31, 1958, shall have the duty to provide and maintain the off-street parking requirements of this Article. The building official may require a written designation of the required off-street parking area in recordable form. Upon any transfer of title to the real estate on which such building or buildings are located, the transferee or transferees and the occupants shall have the continuing duty to maintain the off-street parking requirements of this chapter. It shall be unlawful for the owner and occupants of any building subject to this chapter to discontinue or change, or to cause the discontinuance or change, of the required off-street parking without establishing, prior to such discontinuance or change, alternative off-street parking which meets the requirements of and is in compliance with this Article.
- B. Plans Required: Plans must be submitted to the Planning Board or the Historic District Commission showing how the required parking spaces shall be arranged in the area supplied for that purpose, so as to indicate sufficient space for parking maneuvers, as well as adequate ingress and egress to the parking area.
- C. Site Plan Approval: Plans for all property utilized for the temporary storing of motor vehicles, except when the property so used is located in a district zoned single-family residential by this chapter and the area thereof accommodates 3 or fewer vehicles, shall be submitted to the Planning Board for non-historic site plan approval or the Historic District Commission for historic site plan approval, in accordance with the regulations as set forth in the Site Plan Review Section in Article 7.
- D. Certificate of Occupancy and Use: No certificate of occupancy and use will be issued upon completion of any building or the extension or addition thereto unless and until all off-street parking space requirements, shown on the plans, or made a part of the building permit, are in place and ready for use.
- E. Off-Street Parking:
  1. The off-street parking facilities required under this article shall be used solely by the occupants, employees, visitors, patrons, clientele for motor vehicles. The storage of merchandise, motor vehicles for sale, or the repair of vehicles is expressly prohibited.
  2. Off-street parking facilities shall be provided in an amount not less than specified in this article, for the parking of self-propelled vehicles for the use of the occupants, employees, patrons and clientele of:
    - a. Buildings erected after March 31, 1958; and
    - b. Buildings erected prior to March 31, 1958, at such time that any addition or extension is made to such building.
  3. Whenever the use of any lot or building is changed and under the provisions of the Zoning Ordinance, the new use is required to provide more parking space than was provided for the prior use, all required parking must be provided in an area which meets the requirements of Section 4.54 and the provisions of Chapter 110 of the Birmingham City Code.
  4. Off-street parking spaces being provided as of March 31, 1958, for the parking of automobiles to serve an existing building or use shall not be reduced to an amount less than that hereinafter required for a similar new building or use.
  5. Whenever by virtue of this article, parking facilities must be provided for a building which is used or is to be used for more than one of the types of uses referred to in this article, parking facilities must be provided for each and all of such uses.
  6. Fences are required in connection with off-street parking facilities in accordance with the regulations of Section 4.54.



- F. Additional Parking: In any district, a residential building being used for nonresidential purposes, except places of public assembly, shall provide in addition to the off-street parking space or spaces for the dwelling units required under Section 4.45(A), Section 4.46, Section 4.50, and Section 4.51 off-street parking in the same amounts set forth in Table A for that portion of the floor area which is being utilized for nonresidential purposes.
- G. Methods of Providing Parking Facilities: The required off-street parking facilities for buildings used for other than residential purposes may be provided by any one of the following methods:
1. By providing the required off-street parking on the same lot as the building being served, or where practical, and with the permission of the City Commission, the area in the public right-of-way abutting the property in question may be included as a portion of the required parking area if such area is improved in accordance with plans which have been approved by the engineering department.
  2. By providing the required off-street parking within 100 feet of the building being served, distances being measured along the most direct line of public pedestrian access.
  3. By the collective provisions of the required off-street parking for 2 or more buildings or uses, provided that the total of such off-street parking areas shall not be less than the sum of the requirements of the various buildings or uses computed separately, and the location of such area meets the requirements of subsection (2) of this section, except as provided in Section 4.45(G)(4) below.
  4. By the shared provisions of the required off-street parking for 2 or more buildings or uses, which has been approved by the Planning Board. Shared parking between uses is based on the fact that certain neighboring uses may operate at different times over a 24-hour period with their greatest demand for parking occurring during different times. By allowing uses to share a parking facility, the amount of impervious land in the city may be reduced.
    - a. The total number of combined spaces required for each use may be reduced by up to 50% upon the Planning Board making the determination that the peak parking demands of the uses being served occur at different times and the parking area meets the anticipated demands of all the uses. The Planning Board will make this determination based upon the following information, to be provided by the petitioner:
      - i. The peak hours of operation for each use.
      - ii. The average parking demand and the peak parking demand for each use, based on reliable data. Such data will include actual parking counts for these uses, or at similar uses or actual parking counts are not available, reliable traffic/parking demand models may be used.
      - iii. The impact of shared parking arrangement on adjacent uses.
      - iv. Written legal evidence in the form of deeds, leases or contracts that establish the shared parking facility.
    - b. Once a shared parking arrangement is approved by the Planning Board, such arrangement must be recorded on the land titles for all affected properties. If a shared parking arrangement is subsequently terminated, or if the uses change, Planning Board approval shall be automatically revoked and each use shall be required to comply with the requirements of this section.
    - c. The petitioner(s) shall be responsible for any costs incurred by the city in contracting with consultants to review the proposed site plan as deemed necessary by the Community Development Director.

5. By payment of a special assessment levied against the entire building site where the special assessment district has been created for purposes of constructing a municipal parking facility.
  - a. Required conditions. The following regulations shall apply to all lands in a parking assessment district unless otherwise provided:
    - i. The maximum allowable floor area ratio (FAR) in the parking assessment districts shall not exceed 100%, except that the maximum usable floor area may be increased up to 200% by providing 1 parking space for every 300 square feet over the maximum 100% FAR.
    - ii. Churches in the parking assessment district are exempt from this maximum FAR provision.
    - iii. In the case of churches and buildings occupied by nonprofit organizations providing services to the general public, by securing permission to use the parking facilities of other buildings within 500 feet of the church or community center building when such other building is not normally open, in use, or in operation during the principal hours of use of such church or community center building. Permission to use such other parking facilities shall be evidenced in writing for a period of not less than 1 year. In the case of nonprofit organizations, the parking to be shared must be in a parking or commercial district.
    - iv. In the case of the parking area needed to meet the requirements of the ordinance being in a separate ownership from the building: a permanent exclusive use easement for the required parking with adequate ingress and egress to a public street must be submitted to the city, and such easement must be recorded in the county register of deeds.

## 4.46 PK-02 Off-Street Parking Spaces Required

This Parking Standards section applies to the following districts:

R1A R1 R2 R3 R4 R5 R6 R7 R8 01 02 P B1 B2 B2B B2C B3 B4 MX TZ1 TZ3

The following parking standards apply:

- A. Off-street parking spaces are required based on land use or land uses for the site. The number of spaces required per land use is detailed in Table A.
- B. Every building intended for residential occupancy shall provide on the same lot with such building, off-street parking facilities based upon the number of habitable rooms per dwelling unit as detailed in Table A.

## 4.47 PK-03

This Parking Standards section applies to the following district:

R4 R5 R6 R7 R8 01 02 P B1 B2 B2B B2C B3 B4 MX TZ1 TZ3

The following parking standards apply:

- A. All parking facilities shall be screened in accordance with the provisions in Section 4.49.

## 4.48 PK-04

This Parking Standards section applies to the following district:

R8

The following parking standards apply:

- A. Parking for Dwellings:
  1. The required off-street parking spaces shall be supplied in a garage, carport or in/under the principal building.
  2. Parking, other than on driveways, shall not be permitted in the required front or side open space.

## 4.49 PK-05

This Parking Standards section applies to the following district:

B2 B2B B2C B3

The following parking standard applies:

- A. Parking On-Site: All required parking for residential uses shall be supplied on the principal building site or on property immediately adjacent to the principal building site.

## 4.50 PK-06

This Parking Standards section applies to the following districts:

**B3** **MX**

The following parking standards apply:

- A. Parking for Residential Uses: Parking for residential uses shall be provided on the same lot with such building or on adjacent parcels of land having direct access to the principal building, as may be approved by the appropriate reviewing body pursuant to the Site Plan Review and Design Review Sections in Article 7.
- B. Office and Restaurant Parking: Where there is combined within a single building an office use and a commercial restaurant, up to 30% of the parking supplied to meet the requirement of the office use may also be used to meet the requirement for the commercial restaurant.
- C. Office and Residential Parking: Where there is combined within a single building, an office use and a residential use, up to 40% of the parking supplied to meet the requirement for the office use may also be used to meet the requirement for residential use, provided that the number of spaces required for residential parking shall never be less than 1 parking space per dwelling unit.
- D. Office, Residential and Restaurant Parking: Where there is combined within a single building, an office use, a residential use and a commercial restaurant, up to 40% of the parking supplied to meet the requirement for office use may also be used to meet the requirement for residential use and up to 30% of the remaining parking requirement for office use may be used to meet the requirement for the commercial restaurant.

## 4.51 PK-07

This Parking Standards section applies to the following district:

**B4**

The following parking standard applies:

- A. Parking for Residential Uses: Parking required for residential uses shall be supplied on site or within 300 feet of the residential lobby entrance of the building.

## 4.52 PK-08

This Parking Standards section applies to the following district:

**MX**

The following parking standards apply:

- A. Off-Street Parking Facilities:
  - 1. Off-street parking contained in the first story shall not be permitted within 10 feet of any building facade on a frontage line or between the building facade and the frontage line.
  - 2. The placement of 2 abutting off-street parking facilities with continuous street frontages shall not be permitted.



Table A: Required Off-Street Parking Spaces

Land Use	Number of Off-Street Parking Spaces Required
<b>Commercial Uses</b>	
athletic club, <u>health club/studio</u>	1 space for each 550 sq ft of floor area plus spaces as are required for restaurants, bars, assembly rooms and affiliated facilities
auto wash	spaces equal to 80% of the maximum units of actual or rated hourly productive capacity of the establishment
<u>banquet facility</u>	1 space for each 3 persons of capacity as determined by local, county or state fire, <u>building</u> or health codes
barber shop/beauty salon, tanning salon	2 spaces per service chair, booth or bed; or 1 space per 300 sq ft of floor area, whichever is greater
bowling alley	5 spaces per lane plus spaces as are required for restaurants, bars, assembly rooms and affiliated facilities
eating establishment - outdoor consumption	1 space for each 50 sq ft of floor area
eating establishment - indoor or combined indoor-outdoor consumption	1 space for each 75 sq ft of floor area plus such spaces as are required for assembly rooms and affiliated facilities, excluding all area utilized for outdoor dining
hospital, nursing home	1 space for each 4 patient beds
<u>hotel</u> , <u>motel</u>	1 space per rental unit plus 1 space per each 25 units plus spaces as are required for restaurants, bars, assembly room and affiliated facilities
laundromat and coin-operated dry cleaners	1 space for each 3 washing and/or dry cleaning machines
<u>meeting room</u>	1 space for each 3 person of capacity as determined by local, county or state fire, <u>building</u> or health codes
mortuary establishment	1 space for each 50 sq ft of assembly room, parlor and slumber room floor space
motor vehicle sales and service establishment	1 space for each 300 sq ft of floor area of sales room plus 1 space for each auto service stall, not to be used for new or used car storage
outdoor sales and/or display of merchandise (excluding motor vehicle sales, service and rental agencies)	1 space for each 300 sq ft of outdoor area
retail store	1 space for each 300 sq ft of floor area
taxicab service	1.5 spaces per taxicab
truck and car rental service	1 space for each 1,000 sq feet of outdoor area
other commercial use	1 space for each 550 sq ft of floor area

# Parking Standards (PK)

Table A: Required Off-Street Parking Spaces (continued)

Land Use	Number of Off-Street Parking Spaces Required
<b>Mixed Uses</b>	
Industrial, research, wholesale and warehousing establishment	1 space for each 500 sq ft of floor area
<b>Office Uses</b>	
bank, financial institution, commercial and professional office other than medical	1 space for each 300 sq ft of floor area
professional office of doctor, dentist, medical and dental clinic and similar use	1 space for each 150 square feet of floor area
<b>Public Assembly Uses</b>	
church, school and other place of public assembly with fixed seats	1 space for each 6 seats
church, school and other place of public assembly without fixed seats	1 space for each six person of capacity as determined by the Fire Marshal
theater	1 space for each 3 seats
<b>Residential Uses in PP, R1A, R1, R2, R3, R4, R5, R6, R7, O1, O2, P and B1</b>	
residential occupancy - 2 or less room unit	1.5 spaces per unit
residential occupancy - 3 or more room unit	2 spaces per unit
special purpose housing	0.5 spaces per unit
<b>Residential Uses in R1, R2, R3, R4, R5, R6, R7, R8 O1, O2, P, B2, B2B, B3, B4 and MX</b>	
assisted living*	0.25 spaces per bed plus 1 space per employee (on maximum shift)
skilled nursing facility*	0.25 spaces per bed plus 1 space per employee (on maximum shift)
continuing care retirement community*	0.25 spaces per bed plus 1 space per employee (on maximum shift)
independent hospice facility*	0.25 spaces per bed plus 1 space per employee (on maximum shift)
independent senior living*	0.50 spaces per unit
* Off-street parking shall be provided within 300' of the building being served. On-street parking shall be allowed on all street frontages, where permitted by the Traffic and Safety Board. On-street parking located along a lot's frontage may be credited towards meeting the parking requirements for the use, provided the streetscape is improved as required by the Planning Board.	
<b>Residential Uses in R8</b>	
residential occupancy	2 spaces per unit
<b>Residential Uses in B2, B2B, B3 and MX</b>	
residential occupancy - 2 or less room unit	1 spaces per unit
residential occupancy - 3 or more room unit	1.25 spaces per unit
<b>Residential Uses in B4</b>	
residential occupancy - 2 or less room unit	1.25 spaces per unit
residential occupancy - 3 or more room unit	1.5 spaces per unit

## 4.53 PK-09

This Parking Standards section applies to the following districts:

**TZ1 TZ3**

The following parking standards apply:

- A. Parking Lot Frontage: Parking lots (not located in the road right-of-way) are permitted only in side and rear yards as follows:
  - 1. When parking is located in a side yard (behind the front building line) and has frontage on a public right-of-way, no more than 25% of the total site's frontage or 60 feet, whichever is less, shall be occupied by parking lot.
  - 2. For a corner lot, the cumulative total of both frontages occupied by parking shall be no more than 25% or 60 feet, whichever is less, and the building shall be located at the corner of the lot adjacent to the intersection.
  - 3. For a double frontage lot or a lot that has frontage on 3 streets, the cumulative total of all frontages occupied by parking shall be no more than 35% of the total site's frontage or 60 feet, whichever is less.
- B. Screening: Where an off-street parking lot is visible from a street, it shall be screened by a 3 foot tall screenwall located between the parking lot and the sidewalk, meeting the requirements of Section 4.54. Where a parking lot is adjacent to a single-family residential district, a 6 foot tall brick screenwall meeting the requirements of Section 4.54 shall be provided between the parking lot and the residential use.
- C. Structures: Parking structures shall only be permitted where there is usable building space for a portion of the ground level along the street frontage. Where a parking structure is provided or parking is located on the ground level below the building, usable building space to a depth of at least 20 feet shall be provided in front of the parking for the minimum required building length.
- D. Required Parking: Each use shall provide the parking required by the off-street parking space requirement of Article 04 Table A, except as provided for in this Section. Off-street parking shall be provided for within 300 feet of the building being served.
- E. On-street Parking: On-street parking shall be allowed on all street frontages, where permitted by the Police Department. On-street parking located along a lot's frontage may be credited towards meeting the parking requirements for that use, provided the streetscape is improved to meet the requirements of Section 3.24.
- F. Driveway Access: Driveway access to off-street parking lots shall be located to provide safe separation from street intersections. Driveways shall be aligned with driveways on the opposite side of the street or offset to avoid turning movement conflicts.

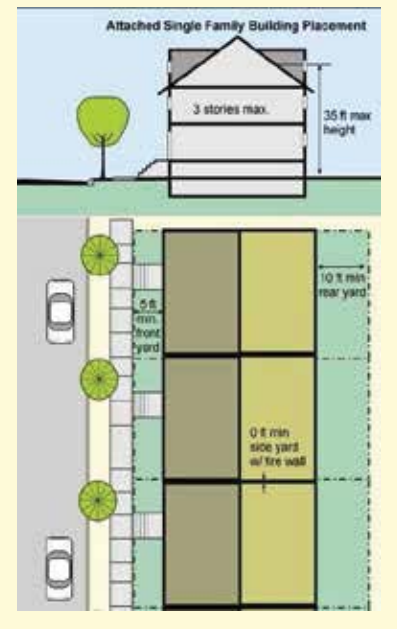


## 3.08 Height and Placement Requirements

The following tables delineate the height, bulk, and setback requirements pertaining to the districts regulated by the Triangle Overlay District.

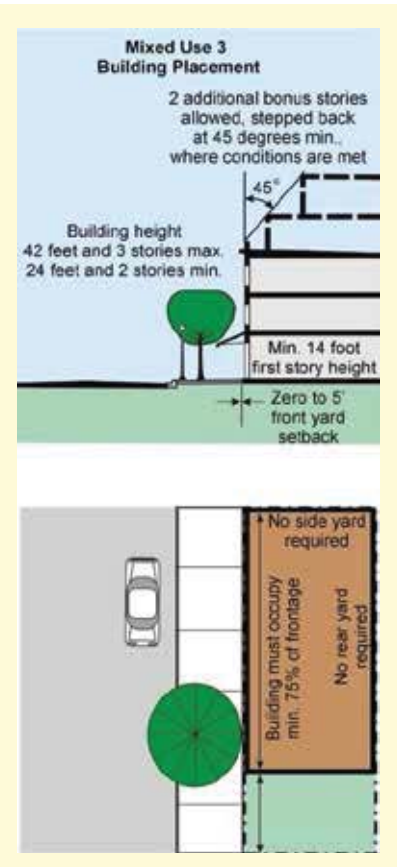
### A. SF3 District Development Standards:

SF3 District Development Standards	
Minimum <u>Lot Area</u> Per Unit	• 1,280 square feet
Minimum <u>Lot Width</u>	• NA
Minimum Front Yard <u>Setback</u>	• 5 feet for single-family attached • Zero for <u>live-work units</u>
Minimum Side Yard <u>Setback</u>	• No side yard between units • 10 feet from side <u>street</u> on <u>corner lot</u> • 9 feet from single-family lot
Minimum Rear Yard <u>Setback</u>	• 10 feet for principal <u>buildings</u>
<u>Building Height</u>	• 2 stories minimum • 3 stories maximum • 35-foot maximum <u>building height</u>



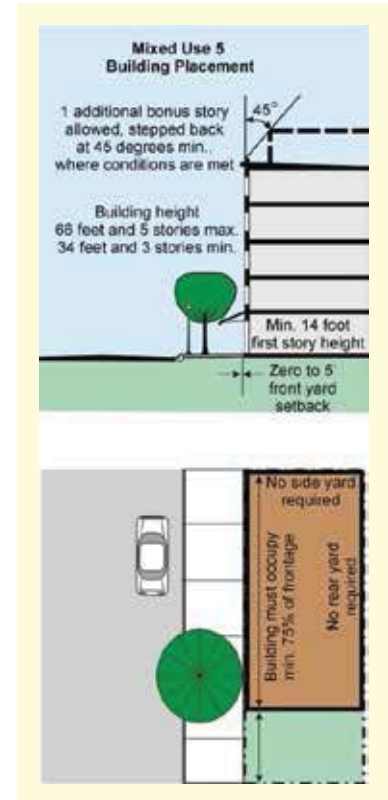
### B. MU3 District Development Standards:

MU3 District Development Standards	
Minimum <u>Lot Area</u>	• NA
Minimum <u>Lot Width</u>	• NA
Front Yard and <u>Building Frontage</u> Requirements	• Zero minimum front yard <u>setback</u> • 5-foot maximum front yard • The <u>building façade</u> shall be built-to within 5 feet of the <u>front lot line</u> for a minimum of 75% of the <u>street frontage</u> length • See Section 3.08(F)
Minimum Side Yard <u>Setback</u>	• A zero side <u>setback</u> with walls facing <u>side lot line</u> that do not contain windows • 10 feet for walls that contain windows • 20 feet adjacent to single-family residential zoning district
Minimum Rear Yard <u>Setback</u>	• 10 feet • 20 feet adjacent to single-family residential zoning district
<u>Building Height</u>	• 24-foot and 2 stories minimum <u>building height</u> • 42-foot and 3 stories maximum <u>building height</u> • For sloped roofs, the <u>eave line</u> shall be no more than 34 feet and the roof peak shall be no more than 46 feet • Additional 24 feet and/or 2 stories of <u>building height</u> allowed if requirements of Section 3.08(E) are met • The first <u>story</u> shall be a minimum of 14 feet in <u>height</u> , floor to floor



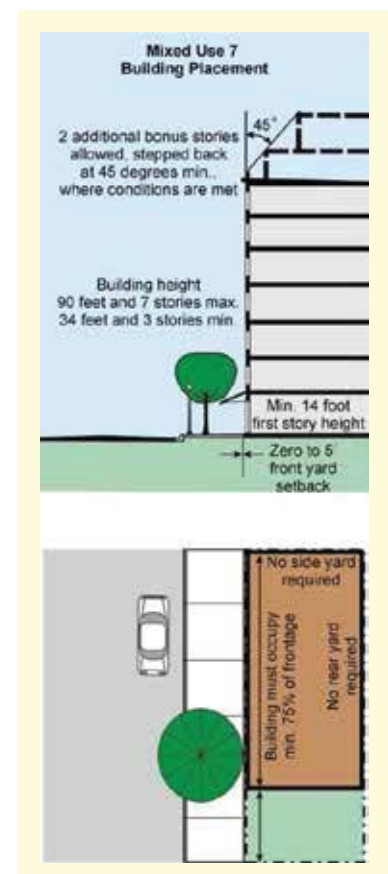
## C. MU5 District Development Standards:

MU5 District Development Standards	
Minimum <u>Lot Area</u>	• NA
Minimum <u>Lot Width</u>	• NA
Front Yard and <u>Building Frontage Requirements</u>	<ul style="list-style-type: none"> <li>• Zero minimum front yard <u>setback</u></li> <li>• 5-foot maximum front yard</li> <li>• The <u>building façade</u> shall be built-to within 5 feet of the <u>front lot line</u> for a minimum of 75% of the <u>street frontage length</u></li> <li>• See Section 3.08(F)</li> </ul>
Minimum Side Yard <u>Set-back</u>	<ul style="list-style-type: none"> <li>• A zero side <u>setback</u> with walls facing <u>side lot line</u> that do not contain windows</li> <li>• 10 feet for walls that contain windows</li> </ul>
Minimum Rear Yard <u>Setback</u>	• NA
<u>Building Height</u>	<ul style="list-style-type: none"> <li>• 34-foot and 3 <u>stories</u> minimum <u>building height</u></li> <li>• 66-foot and 5 <u>stories</u> maximum <u>building height</u></li> <li>• For sloped roofs, the <u>eave line</u> shall be no more than 58 feet and the roof peak shall be no more than 70 feet</li> <li>• Additional 12 feet and/or 1 <u>story</u> of <u>building height</u> allowed if requirements of Section 3.08(E) are met</li> <li>• The first <u>story</u> shall be a minimum of 14 feet in <u>height</u>, floor to floor</li> </ul>



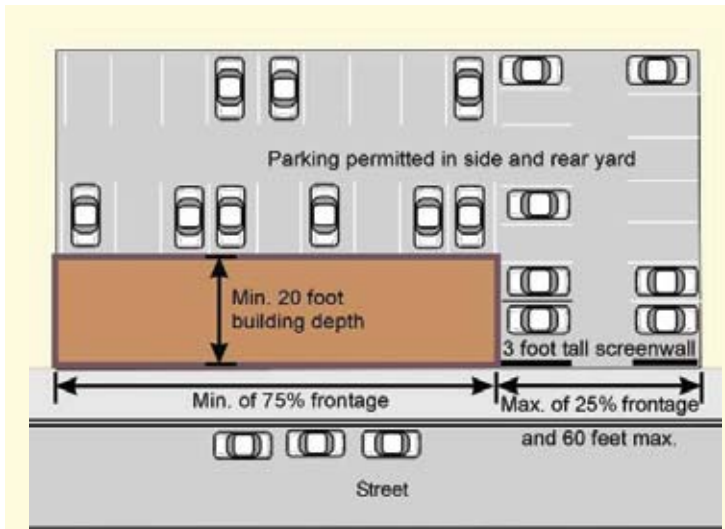
## D. MU7 District Development Standards:

MU7 District Development Standards	
Minimum <u>Lot Area</u>	• NA
Minimum <u>Lot Width</u>	• NA
Front Yard and <u>Building Frontage Requirements</u>	<ul style="list-style-type: none"> <li>• Zero minimum front yard <u>setback</u></li> <li>• 5-foot maximum front yard</li> <li>• The <u>building façade</u> shall be built-to within 5 feet of the <u>front lot line</u> for a minimum of 75% of the <u>street frontage length</u></li> <li>• See Section 3.08(F)</li> </ul>
Minimum Side Yard <u>Set-back</u>	<ul style="list-style-type: none"> <li>• A zero side <u>setback</u> with walls facing <u>side lot line</u> that do not contain windows</li> <li>• 10 feet for walls that contain windows</li> </ul>
Minimum Rear Yard <u>Setback</u>	• NA
<u>Building Height</u>	<ul style="list-style-type: none"> <li>• 34-foot and 3 <u>stories</u> minimum <u>building height</u></li> <li>• 90-foot and 7 <u>stories</u> maximum <u>building height</u></li> <li>• For sloped roofs, the <u>eave line</u> shall be no more than 82 feet and the roof peak shall be no more than 94 feet</li> <li>• Additional 24 feet and/or 2 <u>stories</u> of <u>building height</u> allowed if requirements of Section 3.08(E) are met</li> <li>• The first <u>story</u> shall be a minimum of 14 feet in <u>height</u>, floor to floor</li> </ul>

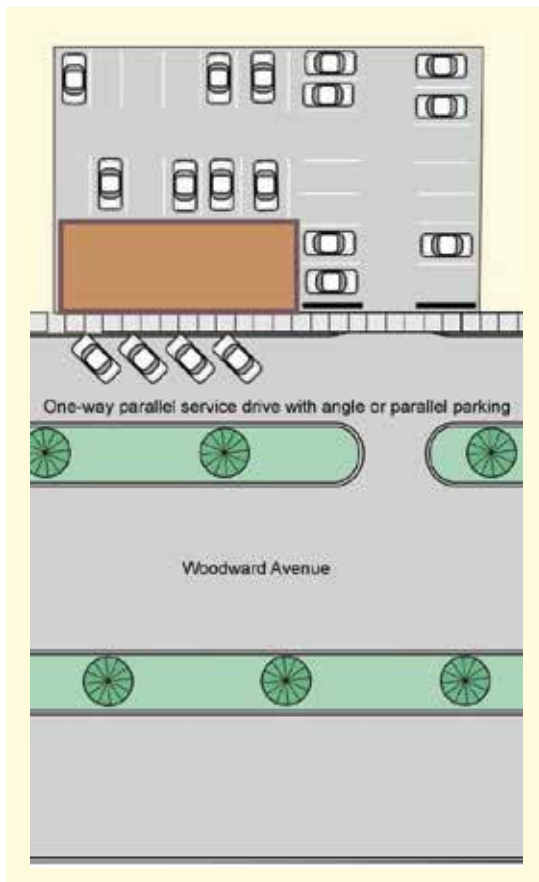


- E. Additional Building Height: Buildings or portions of buildings that are 100 feet or more from a single-family residential zoning district may have the additional building height (in number of stories and/or feet of height) noted in Section 3.08B, Section 3.08C, and Section 3.08D where 2 or more of the following are provided as part of the development. Additional stories shall be stepped back at a 45-degree angle from the top story allowed by right without the height bonus.
1. A multi-level parking structure that offers parking available to the public at the rate of one parking space available to the public for every 300 square feet of building floor area allowed in the additional stories. Where additional building height is proposed without additional stories, then the parking shall be based upon the building floor area in the top floor. The applicant may provide payment-in-lieu to the City for construction of parking in a public parking deck at an offsite location at the rate of \$15,000 per parking space.
  2. Dedication of an improved public plaza with an area that is at least equal to 25% of the additional floor area of building area allowed in the additional stories. Where additional building height is proposed without additional stories, then public plaza space shall be based upon 25% of the building floor area on the top floor. The location and design of the plaza shall be approved by the Planning Board and shall be in accordance with the Triangle District Urban Design Plan.
  3. A mixed use building that provides residential dwelling units above first-floor commercial where a minimum of 50% of the buildings floor area is residential.
  4. Leadership in Energy and Environmental Design (LEED) building design, accredited based upon the rating system of the United States Green Building Council.
  5. Transfer of development rights for additional floor area that zoning would permit on a site containing an historic building or resource designated under Section 127 of the Birmingham Code. The development rights shall be dedicated through recording a conservation easement on the designated historic resource, which shall be reviewed and approved by the Historic District Commission.
- F. MU3, MU5 and MU7 Front Yard Building Setback Exceptions: In the MU3, MU5 and MU7 Districts, 75% of the length of the ground level street-facing façade of the building must be built within 5 feet of the front lot line. The precise setback between 0 and 5 feet shall be consistent with the front building line along the block, or as determined by the Planning Board where a clear setback doesn't exist. The Planning Board may grant exceptions to allow a greater amount of the building to be setback when the front yard area, or forecourt, is used for one or more purposes listed below.
1. Widening the sidewalk along the frontage of the building.
  2. Providing a public gathering area or plaza that offers seating, landscape enhancements, public information and displays, fountains, or other pedestrian amenities.
  3. Providing outdoor seating for the proposed use.
- G. Parking: Parking lots shall meet the following requirements:
1. Parking lots (not located in the road right-of-way) are permitted only in side and rear yards as follows:
    - a. When parking is located in a side yard (behind the front building line) and has frontage on a public right-of-way, no more than 25% of the total site's frontage or 60 feet, whichever is less, shall be occupied by parking lot.
    - b. For a corner lot, the cumulative total of both frontages occupied by parking shall be no more than 25% or 60 feet, whichever is less, and the building shall be located at the corner of the lot adjacent to the intersection.
    - c. For a double frontage lot or a lot that has frontage on 3 streets, the cumulative total of all frontages occupied by parking shall be no more than 35% of the total site's frontage or 60 feet, whichever is less.





2. Where an off-street parking lot is visible from a street, it shall be screened by a 3 foot tall screenwall located between the parking lot and the sidewalk, meeting the requirements of Section 4.50. Where a parking lot is adjacent to a single-family residential district, a 6 foot tall brick screenwall meeting the requirements of Section 4.50 shall be provided between the parking lot and the residential use.
3. Along Woodward Avenue, a single row of parking shall be permitted along the entire front of the building, which may be located within the road right-of-way. The parking may be angled or parallel with a one-way circulation aisle only. There shall be a minimum 7-foot wide sidewalk between the parking and the building.



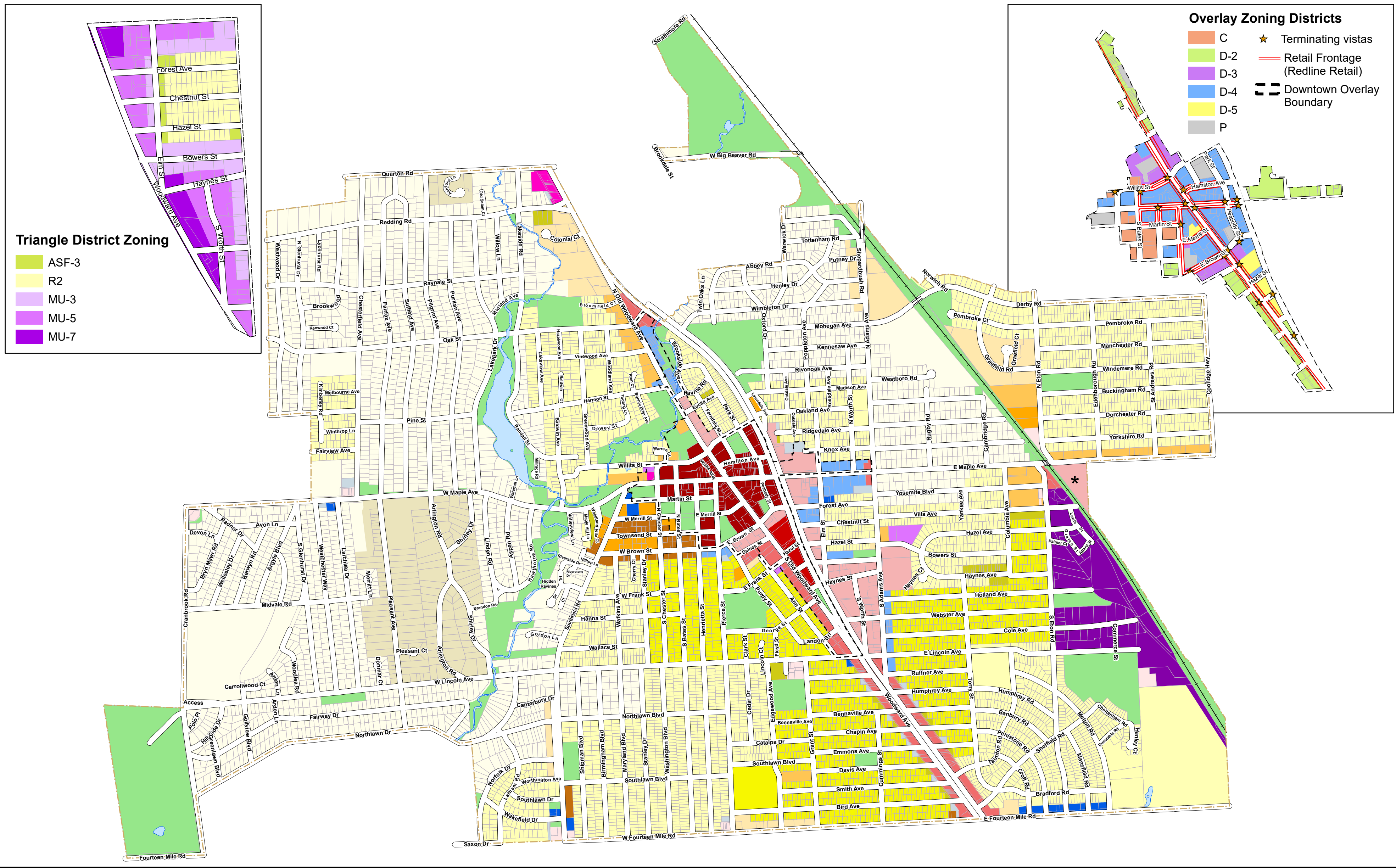
4. Parking structures shall only be permitted where there is usable building space for a portion of the ground level along the street frontage. Where a parking structure is provided or parking is located on the ground level below the building, usable building space to a depth of at least 20 feet shall be provided in front of the parking for the minimum required building length. For a multi-level parking structure, the Planning Board may allow the parking structure above the first floor of the building to occupy the frontage; provided the façade of the parking structure is integrally designed with the architecture of the overall building, utilizes the same building materials and has wall openings that provide proportions, and rhythm that are compatible with building upper story fenestration.
5. Each use shall provide the parking required by the off street parking space requirements, except as provided for in this Section. Off street parking shall be provided for within 300 feet of the building being served.
6. On-street parking shall be allowed on all street frontages, where permitted by the Traffic and Safety Board. On-street parking located along a lot's frontage may be credited towards meeting the parking requirements for that use, provided the streetscape is improved to meet the requirements of Section 3.12.
7. Because the Triangle Overlay District is intended to encourage pedestrian/transit friendly design and compact mixed-use development that requires less reliance on automobiles, the parking required by Section 4.43 may be reduced or waived by the Planning Board as follows:
  - a. Providing shared parking whereby the Planning Board may reduce the total parking required by multiple uses by up to 50% under Section 4.42(G)(4).
  - b. By payment of a special assessment levied against the entire building site where the special assessment district has been created for purposes of constructing a municipal parking facility under Section 4.42(G)(5).
8. Driveway access to off-street parking lots shall be located to provide safe separation from street intersections. Driveways shall be aligned with driveways on the opposite side of the street or offset to avoid turning movement conflicts.

### 3.09 Commercial/Mixed Use Architectural Requirements

Mixed-use buildings that contain non-residential uses on the ground floor and residential in upper floors and all non-residential buildings shall meet the following architectural design requirements. It is not the intent of this section to regulate architectural style of buildings or limit creativity, but to ensure the necessary functional and design elements to create and foster a mixed-use, pedestrian-oriented environment are incorporated into all building designs. Buildings should respect the existing architectural style of the area while evolving a more “bold” approach towards contemporary design.

- A. Front Façade Requirements: Walls that face a public street, plaza, green or park shall include windows and architectural features customarily found on the front of a building, such as awnings, cornice work, edge detailing or decorative finish materials.
  1. Blank walls longer than 20 feet shall not face a public street.
  2. All buildings shall have a main entrance that is located on at least one (1) street front. Main entrances shall have design details that enhance the appearance and prominence of the entrance so that it is recognizable from the street and parking areas.
  3. For buildings longer than 100 feet, there shall be a minimum of one (1) usable entrance every full 50 feet of frontage along the front public sidewalk and shall provide architectural variation to visually break the building up.
  4. Garage doors shall not be permitted on a front façade.





# City Of Birmingham

## Zoning Map

Zoning Districts			
R1	Single-Family Residential	R7	Multiple-Family Residential
R1-A	Single-Family Residential	R8	Multiple-Family Residential
R2	Single-Family Residential	TZ1	Transitional Zoning 1
R3	Single-Family Residential	TZ3	Transitional Zoning
R4	Two-Family Residential	MX	Mixed-Use
R5	Multiple-Family Residential	B-1	Neighborhood Business
R6	Multiple-Family Residential	B-2	General Business
		★ B-2	General Business Limited to Grocery Store Use
		B-2B	General Business
		B-3	Office-Residential
		B-4	Business-Residential
		O-2	Office Commercial
		O-1	Office
		P	Parking
		PP	Public Property
			Downtown Overlay Boundary



## Parking Study Comparison – 2018

	Nelson Nygaard Parking Study	DPZ Master Plan Parking Analysis
<b>Purpose</b>	Conduct an evaluation of current <i>Zoning Code</i> parking requirements for private development.	Review the current parking regulations in regards to <i>operations, infrastructure and policy</i> city-wide, and synthesize the results of other parking studies.
<b>Scope</b>	<ul style="list-style-type: none"> <li>• Analysis of current parking requirements' effect on land use, density, size, location, and cost of development.</li> <li>• Summary and analysis of current and future parking trends in walkable communities comparable to Birmingham.</li> </ul>	<ul style="list-style-type: none"> <li>• Review of the Parking Assessment District.</li> <li>• Evaluation of the perceived parking issues surrounding Downtown and the potential for a municipal system in the Triangle and Rail Districts.</li> <li>• Analysis of future parking impacts such as ride-sharing, autonomous vehicles, mass-transit, and electric vehicles.</li> </ul>
<b>Location</b>	Central Business District, Triangle District, Rail District	City-wide
<b>Recommendations</b>	Nelson Nygaard will provide specific recommendations for updating the City's current parking regulations to provide development incentives, increase residential density, and encourage more affordable residential units.	DPZ will provide best practice analyses and recommendations for updating current parking regulations for both private developments and on-street public parking in residential AND commercial areas across the City.



## MEMORANDUM

Office of the City Manager

**DATE:** January 26, 2019

**TO:** Joseph A. Valentine, City Manager

**FROM:** Tiffany J. Gunter, Assistant City Manager

**SUBJECT:** N. Old Woodward Parking Development and Bates Street Extension – Long Range Planning Update

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### INTRODUCTION:

City administration has been working to finalize a development agreement that will allow for the removal of the N. Old Woodward parking structure and the construction of a new and expanded public parking facility, extension of Bates Street as recommended in the Downtown Birmingham 2016 plan, and the private development of commercial and residential space. The development consultant, Jones Lang Lasalle, Inc. have completed the due diligence process to validate the justification for the project as well as the proposed project costs as presented by the Walbridge / Woodward Bates partners. The review included an evaluation of the due diligence package submitted by the Developer. JLL reviewed materials such as the City's master plan, area demographics, site plans, space programming, cost estimates, phasing schedule, market research, and all assumptions used in the Developer's proposal. JLL reported that, while there was a need to clarify costs for some specific line items, the findings of their evaluation were consistent with current industry standards and there was sufficient justification for the project overall based on the parking, housing, and office market in the Birmingham/Bloomfield area. The Woodward Bates partners continue to meet with the City to establish the terms of the development agreement. Significant progress is being made to that end. The proposed development agreement is expected to be presented to the Commission in Spring 2019 to begin the predevelopment design and engineering work necessary for the project to proceed.

### BACKGROUND:

In September of 2015, at the recommendation of the AHPDC, the City issued a Request for Proposals (RFP) for a consultant team comprised of an architectural firm and a parking consultant to provide conceptual drawings and cost estimates related to the expansion of two municipal parking facilities owned by the City. In working with the consultant team to evaluate alternatives and costs, the AHPDC concluded the primary focus for their efforts was to replace the North Old Woodward parking structure and maximize the total number of new spaces available at this site given the adjoining parking lot next to the existing structure. This study was completed in 2016.

The consulting team of Saroki Architecture and Carl Walker were selected to develop a concept plan and vision for the redevelopment of the N. Old Woodward parking structure and the surrounding area. The team presented numerous options to the AHPDC, and the committee eventually selected Option 1A as the preferred concept plan to be included in a future RFP to solicit development teams.

In March 2016, the AHPDC completed a draft Request for Qualifications ("RFQ") seeking a developer or a development team to undertake the collective redevelopment the Bates Street property to include removal of the N. Old Woodward parking deck, construction of an expanded public parking facility, the extension of Bates Street and the private development of commercial and residential space. The City's objective was to solicit creative and innovative development plans, consistent with Option 1A, from qualified developers that would partner with the City to extend Bates Street from Willits to North Old Woodward and redevelop the remainder of the site by constructing a parking facility that provides a minimum of 1150 parking spaces to replace the 770 parking spaces currently on the N. Old Woodward / Bates Street site, introducing residential, commercial and/or mixed uses to create an activated, pedestrian-oriented urban streetscape and provide public access to the Rouge River and Booth Park to the north.

After reviewing the draft RFQ in 2016, the AHPDC requested that the Planning Division seek an independent review of the RFQ by a qualified consultant prior to its release to the general public. To this end, the City engaged Tim Kay of Jones Lang LaSalle (JLL), which is a national commercial real estate strategy, services and support firm. JLL provides a wide range of services related to commercial real estate throughout the United States, including project and development services. Tim Kay is the Managing Director of the Project and Development Services Division for the Detroit branch of JLL. Mr. Kay of JLL has completed his review of the RFQ, and provided a letter outlining his comments.

On January 6, 2017, the AHPDC reviewed the draft RFQ and the comments provided by JLL. The Committee requested that a note be added to the RFQ that there is construction currently underway adjacent to the project area for Brookside Terrace, and then voted unanimously to forward the RFQ to the City Commission for their review.

On March 13, 2017, the City Commission directed staff to issue the RFQ consistent with the terms and parameters defined in Option 1A. The RFQ was issued on March 16, 2017 seeking qualified developers interested in the N. Old Woodward Parking / Bates Street Extension project.

The City received submittals from the following four development teams:

- Morningside Group;
- Redico;
- TIR Equities; and
- Walbridge / Woodward Bates.



All four responses were reviewed by City staff and all four met the qualifications contained in the RFQ. Accordingly, the City Attorney reviewed the financial documentation and determined that all four development teams were financially qualified to proceed to the next step and were thus invited to respond to the Request for Proposals. The AHPDC concurred that all four development teams were qualified to proceed to the RFP stage.

During the summer of 2017, the AHPDC worked with staff to finalize a draft RFP for review and approval by the City Commission. On September 11, 2017, the City Commission approved the issuance of the RFP recommended by the AHPDC consistent with the terms and parameters defined in Option 1A.

The City received three proposals in response to the RFP from the following development teams:

- Redico;
- TIR Equities; and
- Walbridge / Woodward Bates Partners.

Although qualified to submit a proposal, the Morningside Group notified the City that they did not intend to submit a response to the RFP.

Each of the three development proposals received in response to the RFP were reviewed by City staff to determine if all of the requirements of the RFP were met. Requests for clarifications were issued. Redico withdrew their bid and did not respond to the request for clarifications. TIR Equities and Walbridge / Woodward Bates partners provided responses.

On March 7, 2018, the AHPDC interviewed the two remaining development teams of TIR Equities and the Walbridge / Woodward Bates team. At the conclusion of the interviews, committee members scored the proposals. Score were as follows:

- TIR Equities – 690 total points
- Walbridge / Woodward Bates – 992 total points.

After the interviews were conducted, the AHPDC discussed at length the two different development concepts that were proposed, and conducted a detailed analysis of the two proposals. Staff evaluation involved the following five key categories:

- Compliance with the RFP, as issued;
- Assumptions regarding local property tax generation;
- Parking structure cost differentials;
- Financial obligations for the City; and
- Project build-out requirements.

On May 2, 2018, the AHPDC met and reviewed all of the analysis of each item outlined above for the remaining two proposals. The committee considered three options for moving forward. The first option they considered recognized that of the two proposals under consideration only one of them is directly responsive to the RFP, and thus this option suggested moving forward only with the development team with the proposal that was responsive to the RFP. The second option that the committee considered was to reject both of the proposals and recommend that the Commission direct staff to reissue an RFP with expanded parameters. The third and final option considered was to proceed with the build out of the parking structure independent of any surrounding development and allow for additional development around the structure at a later time.

After much discussion, the AHPDC voted to recommend to the City Commission that the City continue discussion with the Walbridge / Woodward Bates team to advance their proposal for the public parking development, extension of Bates Street, and the proposed private components. The negotiations are on-going.



## MEMORANDUM

Engineering Dept.

**DATE:** January 17, 2019

**TO:** Joseph A. Valentine, City Manager

**FROM:** Paul T. O'Meara, City Engineer

**SUBJECT:** Backyard Sewer & Water Master Plan  
Progress Update

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As you know, in 2011 the City Commission approved a Master Plan directing how to address the future maintenance needs of the City's backyard sewers and water mains. As shown on the attached map, the following highlights progress made over the past several years, as well as progress being made currently:

1. Main line storm sewers have been constructed on the W. Lincoln Ave. and Oak St. corridors, helping remove storm water flows from the combined sewer system. More significantly, both pipelines help prepare for additional storm water diversion in the future as streets upstream of these streets are reconstructed.
2. All subdivision areas relying on backyard water main systems have now been reconstructed, providing all properties with the opportunity to connect their buildings to a newer public water main located in the street. The entire backyard system in the Crestview Subdivision has now been disconnected and shut down. Disconnections are now in progress in the two east side subdivisions as well as Old Salem Ct., with final shutdown of these backyard systems planned between 2022 and 2024.
3. Last January, the City hired Lanzo Lining Technologies to complete about half of the planned repair and lining of the backyard sewers in the Quarton Lake Subdivision and Birmingham Villas Subdivision. The contract called for lining on 13 different blocks in Quarton Lake (all north of Oak St.), as well as one very long block within Birmingham Villas (south of Maple Rd., and east of Adams Rd.). Other sewers that needed to be lined were added to this contract as well. Certain sections of the sewer system were in worse condition than expected, and the contractor had to complete several open excavations in order to prepare the sewers for lining. The work was completed in October.

During 2018, progress on easement acquisitions for remaining areas have been moving quicker. The attached map and presentation indicates where things stand with respect to easements. We currently are cleared to line sewers on two blocks of the Quarton Lake Subdivision. Staff plans to pursue property owners on certain key blocks where the number of gaps remaining are small so that four additional blocks within the Quarton Lake area can be lined, starting later this year. If that effort is successful as planned, just five blocks will remain to be lined in Quarton Lake, and one in East Maple Gardens Sub. (north of Maple Rd., and east of Eton Rd.).



# BACKYARD SEWER & WATER MASTER PLAN UPDATE

LONG RANGE PLANNING SESSION  
JANUARY 26, 2019

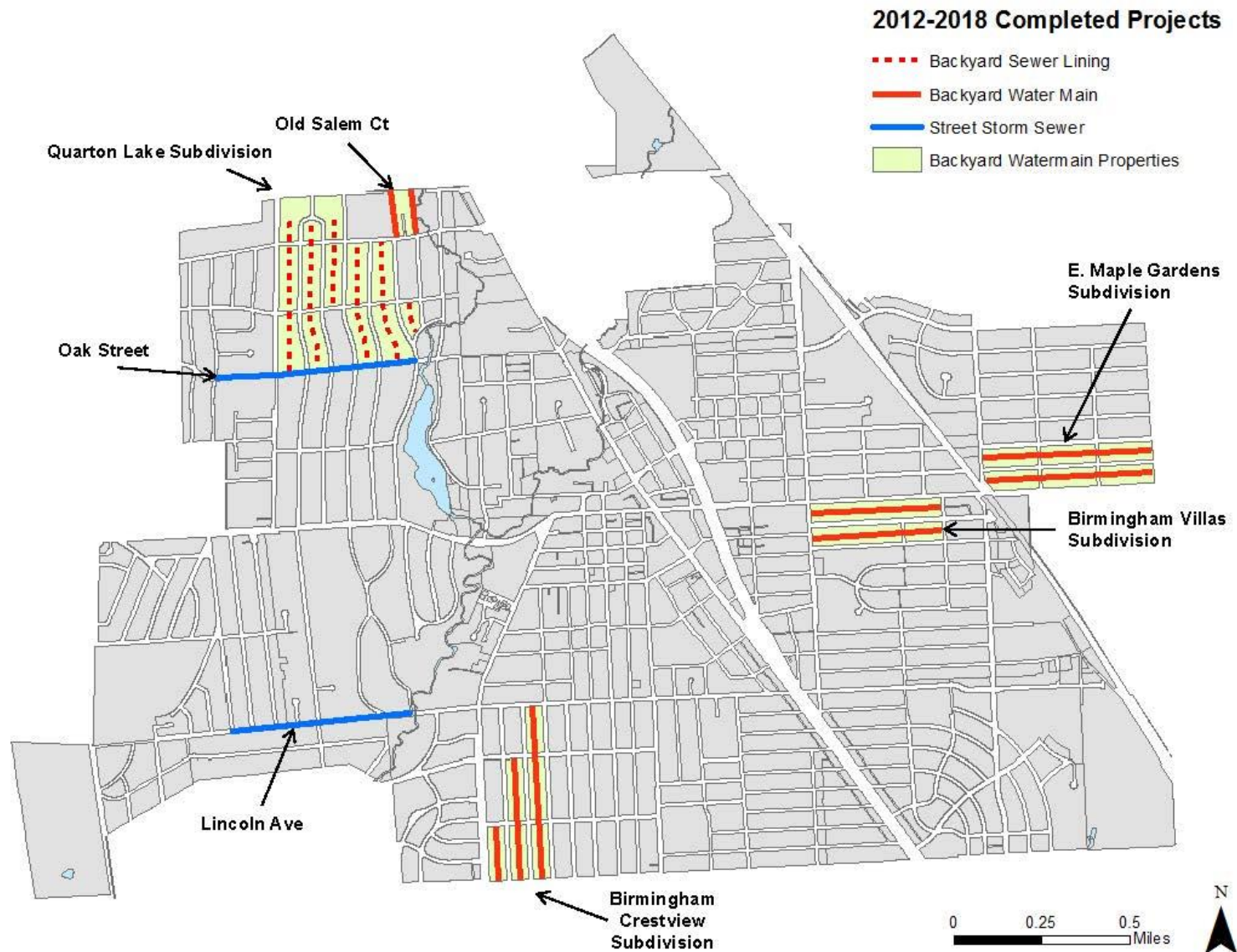
*City of Birmingham Engineering Dept.*

# BIRMINGHAM BACKYARD SEWER AND WATER MASTER PLAN

Approved July, 2011

A holistic, eight year plan to address three remaining neighborhoods that were built with backyard water mains and/or sewers.

# BACKYARD SEWER & WATER MASTER PLAN





# BACKYARD SEWER & WATER MASTER PLAN

## Quarton Lake Subdivision

— 2019-2021 Proposed Storm Sewers

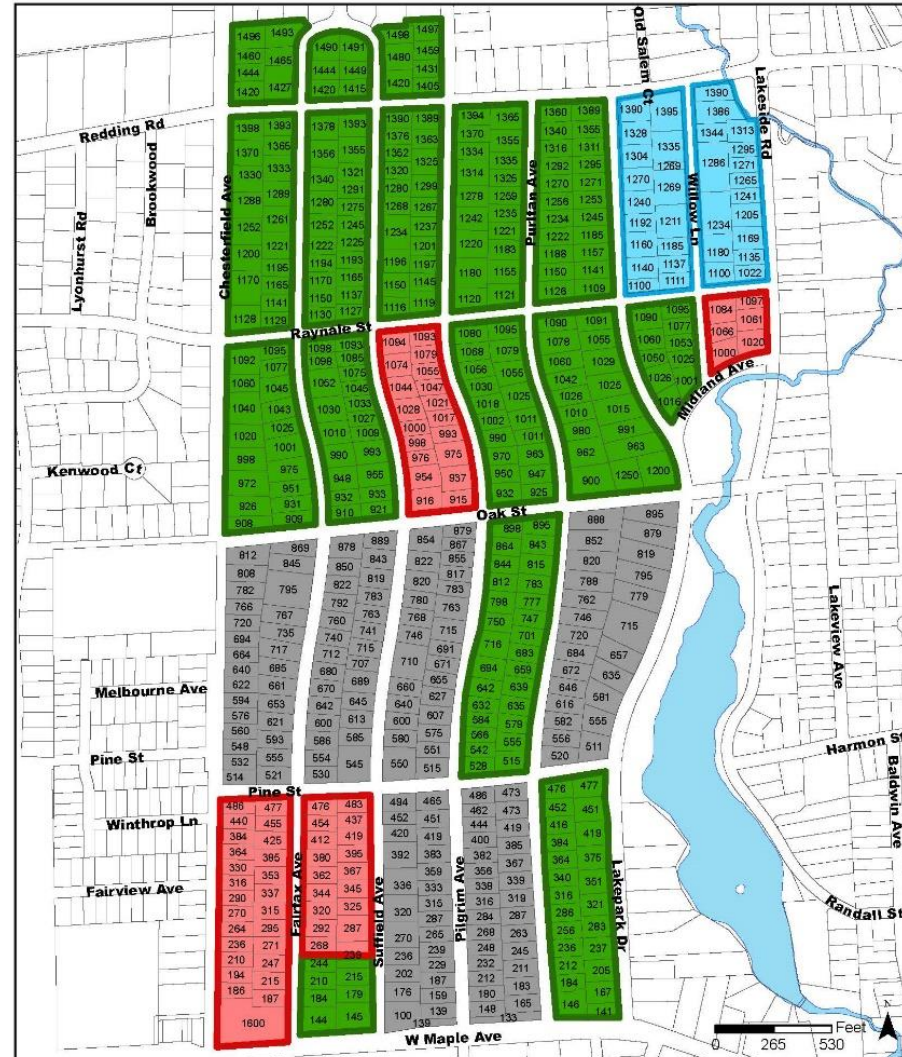


0 0.125 0.25 Miles



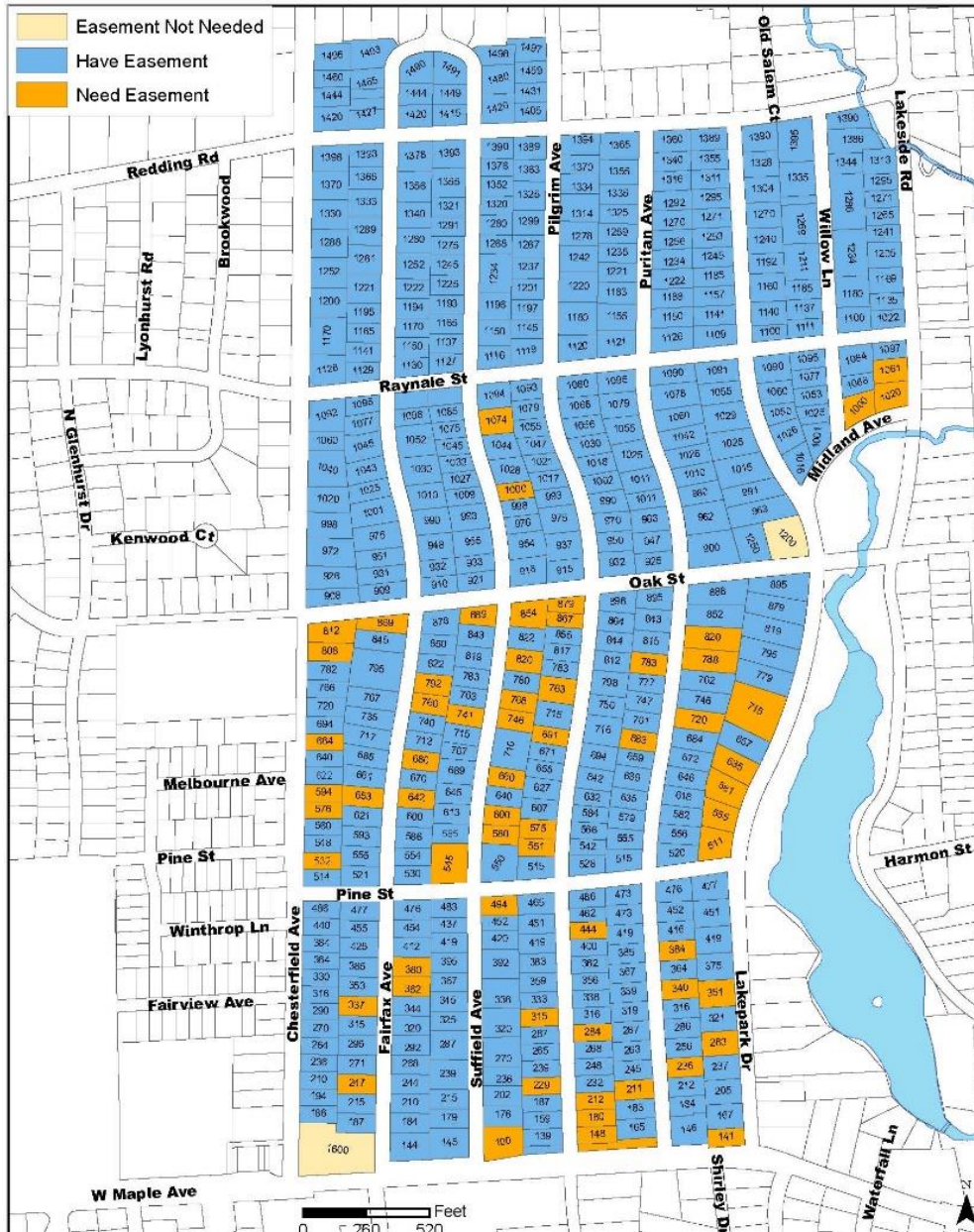
# BACKYARD SEWER & WATER MASTER PLAN

## Quarton Lake Sewer Lining



  Easement Acquisition Complete
   Easement Acquisition Nearing Completion
   Sewer Lining Complete

# North & South Quarton Lake Subdivision Easement Status





# BACKYARD SEWER & WATER MASTER PLAN

## East Maple Gardens Easement Status



BACKYARD SEWER & WATER  
MASTER PLAN

## EASEMENT ACQUISITIONS

Quarton Lake Estates Subdivision –  
253 Recordable Easements Received (82%)

East Maple Gardens Subdivision –  
19 Recordable Easements Received (73%)

BACKYARD SEWER AND WATER  
MASTER PLAN

Questions?





## MEMORANDUM

Engineering Dept.

**DATE:** January 18, 2019

**TO:** Joseph A. Valentine, City Manager

**FROM:** Paul T. O'Meara, City Engineer

**SUBJECT:** "Second Water Meter" Policy

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Several times per year, staff receives questions from water customers why Birmingham does not allow the installation of a second water meter. Since each sanitary sewer charge is based on how much water is measured through the customer water meter, astute customers understand that if sewage disposal fees were based only on water used inside the home, they could realize an ongoing savings each year during the summer irrigation period.

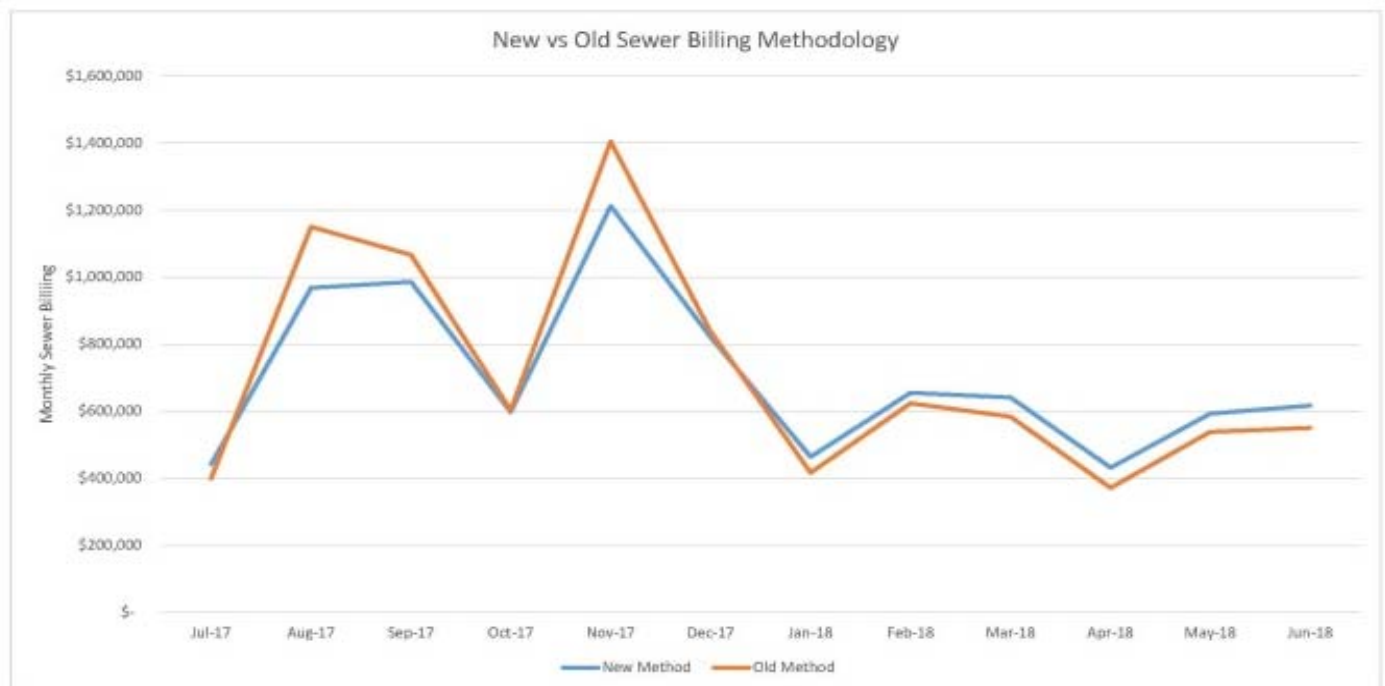
In January of 2017, the Engineering Dept. made a presentation explaining the justification of the ongoing ban not allowing water customers to install a second water meter. The current policy was justified based on the following:

- In the George W. Kuhn Drainage District, the City is charged for its storm water disposal costs based on the amount of water use measured at the water meter. Those electing to get a second water meter would likely use more water than previously. The increased amount of water used would then translate into a higher sewage disposal charge the City must pay to the County drainage district. That higher cost would then be transferred to the entire customer base in the form of higher sewage disposal fees.
- Some irrigation water does get returned to the sewer system.
- The Water Meter Shop work load would increase depending on the popularity of the second water meter installations. Since there is only one full time person in the Water Meter Shop area, staff would have to be diverted from other jobs to install and maintain additional meters.
- The Storm Water Utility fee is reducing the height of the peak bills charged during the summer irrigating season.
- The Storm Water Utility fee has reduced individual sewage disposal fees by over 30%. The cost/benefit ratio of installing the second meter would take an additional 2 years to pay back in sewage disposal fee reductions, for those using an additional 35 units of water during the summer billing period. (The report prepared at that time is attached.)

We are nearing the end of the second year since implementing the new Storm Water Utility Fee. Since requests for second water meters continue to be received, it is appropriate at this time to review actual revenues to determine the impact it has had.

The chart attached below has been prepared by the Finance Dept. It compares the actual total revenues due for sewer fees using the new method (blue line), with the flat Storm Water Utility Fee vs. what would have been collected if the fee had not been implemented (orange line). The period shown is collections due for the last fiscal year (2017-2018). The higher revenues in

the late summer and fall represent higher irrigation demand commonly registered during the hotter summer months. In 2017, significantly below average rainfall was recorded during the months of June, July, and September. Since billings are sent out in three month cycles, it can take up to three months to register as funds due, hence the biggest spike in November of last year.



During a dry summer, under the old billing method, funds due would have spiked more as shown on the chart, from August to November. Given the flat, constant nature of the Storm Water Utility Fee, those funds will usually be made up during the winter months, when billing is more stable. As expected, the Storm Water Utility Fee has had the unintended effect of smoothing the cost of sewer bills (the amount due does not change as significantly from summer to winter).

To summarize, the reasons not to allow the installation of second meters provided in the past remain valid. The most significant of these is that a large part of the City's sewage disposal costs is directly related to how much metered water is used at the tap. If water usage through irrigation meters goes up, sewage fees the City must pay would also go up. All customers would then have to pay higher rates to cover this difference.

No changes are recommended at this time.

# PROPOSAL: SECOND WATER METER FOR OUTDOOR WATER USE

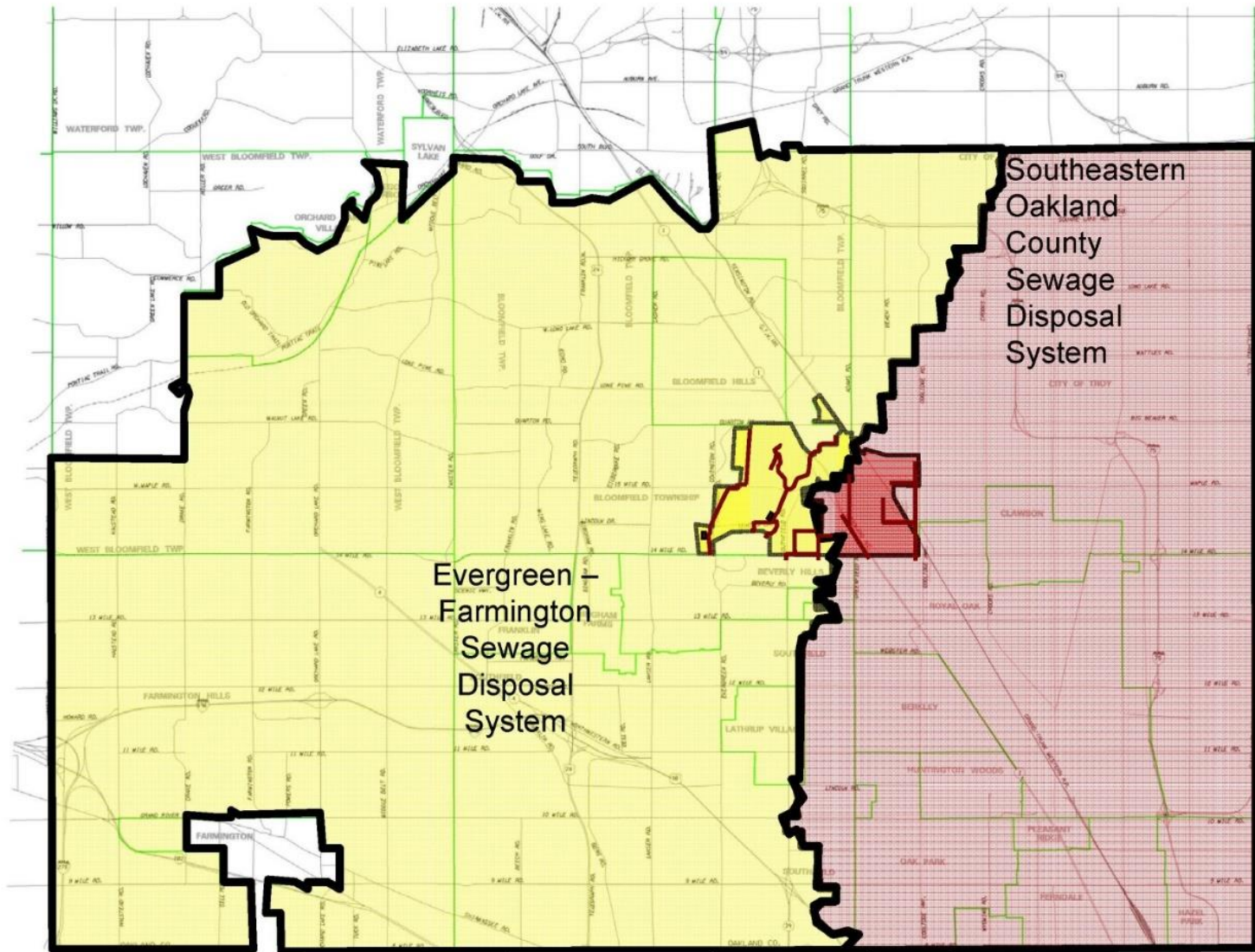


City of Birmingham  
Engineering Dept.  
January 26, 2019



## SECOND WATER METER

- ▣ Impact on Sewer Fund
- ▣ Irrigation water flowing back to sewer.
- ▣ Impact on City Staff
- ▣ Payback period
- ▣ Operating Philosophy





# INVOICE

Invoice: SDS0006090  
Invoice Date: 12/1/2018  
Page: 1 of 1

Please Remit To:  
OAKLAND COUNTY  
TREASURERS-CASH ACCTG BLDG 12 E  
1200 N TELEGRAPH RD  
PONTIAC MI 48341-0479  
United States

Customer No: SDS00000004  
Payment Terms: NET 30  
Due Date: 12/31/2018

Bill To:  
CITY OF BIRMINGHAM  
PAUL OMEARA, PE, CITY ENGINEER  
151 MARTIN ST  
PO BOX 3001  
BIRMINGHAM MI 48012-3001

Amount Due: 174,025.07 USD

GWKDD - SEWERAGE TREATMENT FOR THE MONTH  
OF NOVEMBER 2018

For billing questions, please call: 248-858-0942

Original

Contract	Activity	Description	Quantity	Net Amount
		Fiat Rate Storm Charge		105,986.08
		Sewerage Disposal Charge		68,038.99
		Total Amount:		174,025.07
		Amount Due:		174,025.07

PLEASE INCLUDE YOUR INVOICE NUMBER WHEN SUBMITTING PAYMENT.



## SEWAGE CHARGE

Flat Rate Sewage Charge		GLWA FY 2018-19	
		<u>Annual Charge</u>	
GLWA Purchased Expense	\$	22,931,040.00	
OCWRC Operating Expense		2,909,130.00	
Major Maintenance Reserve		650,000.00	
Emergency Maintenance Reserve		100,000.00	
Capital Improvement Reserve		435,880.00	
Less: Misc. Revenue		(79,900.00)	
Total:	\$	26,946,150.00	

	GLWA FY 2018-19		GLWA FY 2018-19	
	<u>Annual Charge</u>		<u>Monthly Charge</u>	
City of Berkley	\$	1,035,272.00	\$	86,272.66
Village of Beverly Hills		74,910.00		6,242.50
City of Birmingham		816,468.00		68,038.99
City of Clawson		773,624.00		64,468.67
City of Ferndale		1,411,978.00		117,664.83
City of Hazel Park		1,074,343.00		89,528.58
City of Huntington Woods		492,575.00		41,047.91
City of Madison Heights		3,003,957.00		250,329.76
City of Oak Park		2,154,614.00		179,551.18
City of Pleasant Ridge		236,588.00		19,715.67
City of Royal Oak		5,195,756.00		432,979.68
Royal Oak Twp		254,910.00		21,242.49
City of Southfield		1,829,644.00		152,470.33
City of Troy		8,256,301.00		688,025.09
Detroit Zoological Park		297,486.00		24,790.50
County of Oakland		-		-
Rackham Golf Course		37,724.00		3,143.66
State Of Michigan		-		-
Total	\$	26,946,150.00	\$	2,245,512.50

## STORM CHARGE

Flat Rate Storm Charge		GLWA FY 2018-19	
		<u>Annual Charge</u>	
GLWA Purchased Expense	\$	22,533,770.00	
OCWRC Operating Expense		3,117,780.00	
Major Maintenance		200,000.00	
Emergency Maintenance		50,000.00	
Capital Improvement		500,000.00	
Less: Interest Income		(359,140.00)	
Total:	\$	26,042,410.00	

	GLWA FY 2018-19		GLWA FY 2018-19	
	<u>Annual Charge</u>		<u>Monthly Charge</u>	
City of Berkley	\$	1,690,022.00	\$	140,835.17
Village of Beverly Hills		217,949.00		18,162.42
City of Birmingham		1,271,833.00		105,986.08
City of Clawson		1,543,325.00		128,610.42
City of Ferndale		2,679,373.00		223,281.09
City of Hazel Park		587,361.00		48,946.75
City of Huntington Woods		642,492.00		53,541.00
City of Madison Heights		1,703,435.00		141,952.92
City of Oak Park		3,551,742.00		295,978.49
City of Pleasant Ridge		348,708.00		29,059.01
City of Royal Oak		7,735,324.00		644,610.33
Royal Oak Twp		332,693.00		27,724.41
City of Southfield		2,009,328.00		167,444.00
City of Troy		645,825.00		53,818.75
Detroit Zoological Park		87,606.00		7,300.50
County of Oakland		397,772.00		33,147.67
Rackham Golf Course		49,819.00		4,151.59
State Of Michigan		547,803.00		45,650.25
Total	\$	26,042,410.00	\$	2,170,200.85

## SECOND WATER METER



- ▣ Most cities that offer a second water meter for irrigation do not have combined sewer charges.



## Sources of Inflow and Infiltration (as indicated by red circles)

## Properly Connected Sewer System (sewer system is separate from stormwater system)



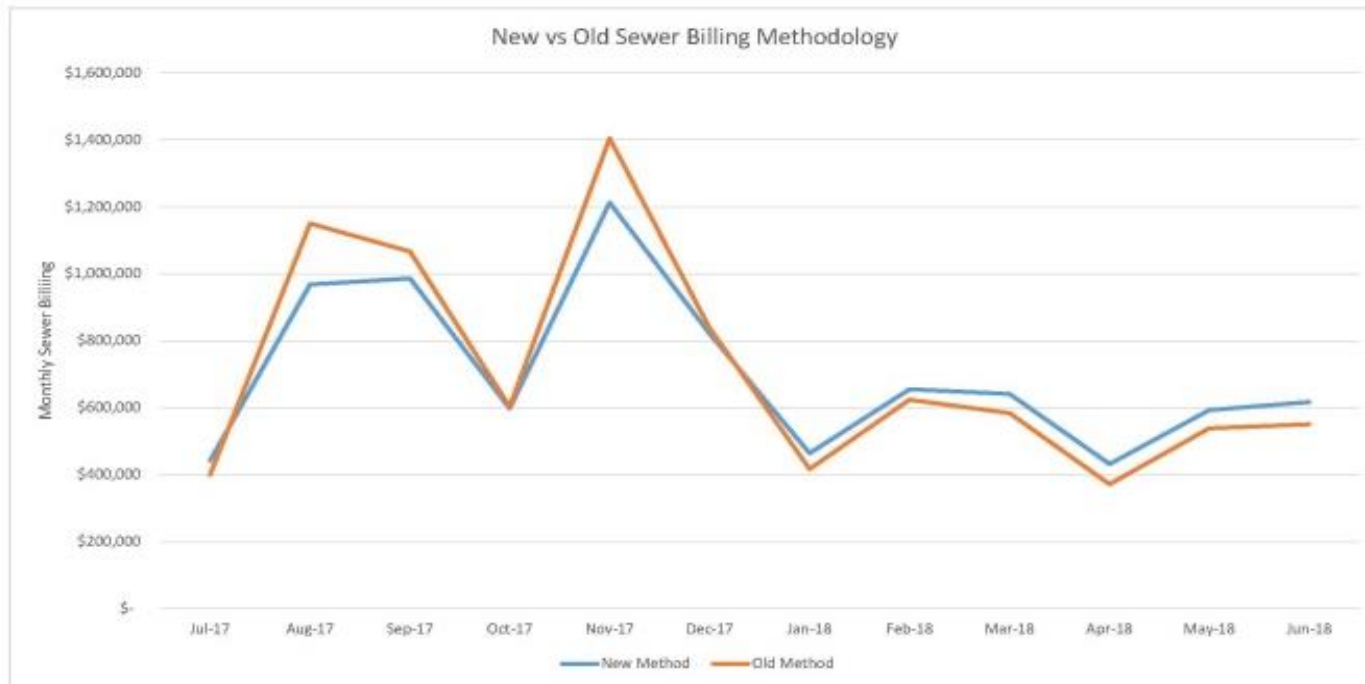
## SECOND WATER METER

### IMPACT ON CITY STAFF

- ▣ 1.5 full time positions in Water Meter Shop service 8,500 water customers.
  1. Meter installation/ diagnosis/ repair
  2. Inspections
  3. Leak Investigations
- ▣ Diversion of staff for initial roll-out and ongoing monitoring and maintenance
- ▣ Additional stock maintenance

## SECOND WATER METER

### IMPACT ON SEWER & WATER BILLS:



Storm Water Utility Fee (flat charge) reduces peak of summer water bills.



## SECOND WATER METER

### IMPACT ON SEWER & WATER BILLS

#### Old Billing Method –

- Assumes 175% increase in water for three months in summer.
- Assumes \$1,600 cost to purchase and install meter.

**Payback = 4.9 years**

	Old Methodology – Winter Time Billing (storm water included in sewer rate)	Old Methodology Summer Time Billing (storm water included in sewer rate)	Old Methodology Summer Time Billing (with second meter discount)
	20 units	55 units	55 units
Water	\$87.20	\$239.80	\$239.80
Sewer	\$193.60	\$532.40	\$532.40
Meter Charge	\$8.00	\$8.00	\$16.00
Second Meter Discount	N/A	N/A	-\$338.80
Total Quarterly Bill	\$288.80	\$780.20	\$449.40

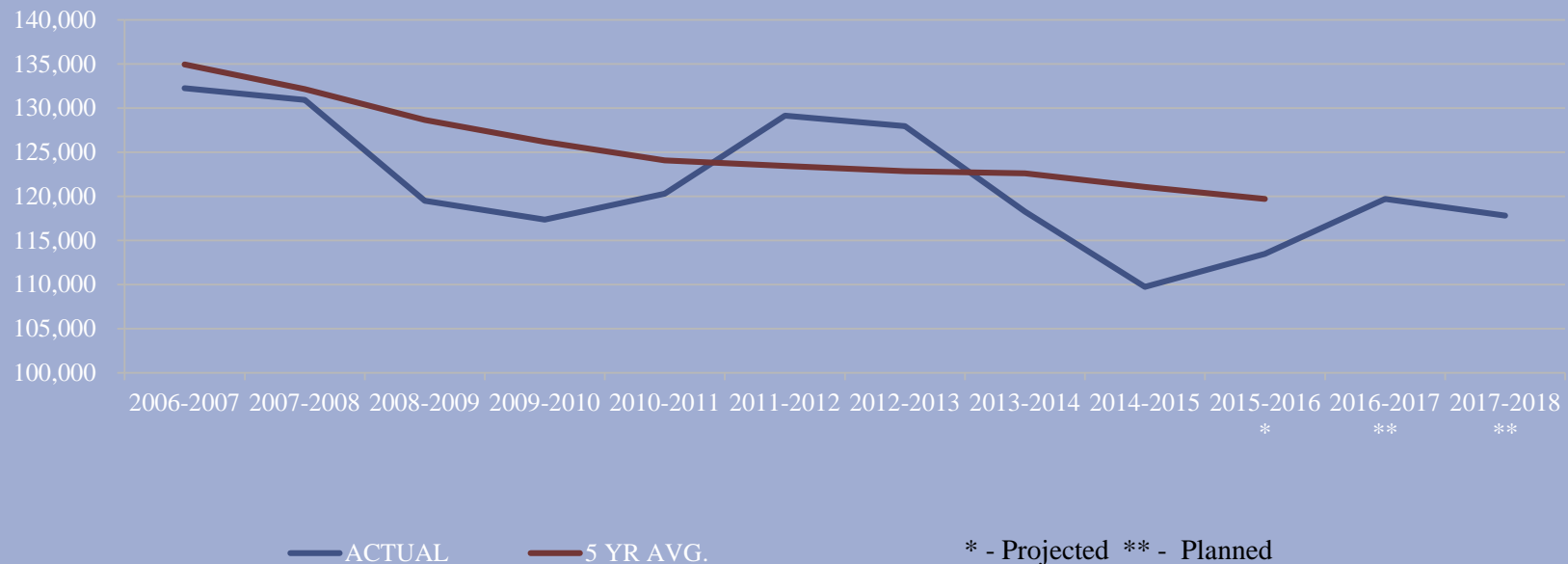
## SECOND WATER METER

- ▣ New Billing Method –
- ▣ Impact on Sewer and Water Bills
  - ▣ Assumes 175% increase in water for three months in summer.
  - ▣ Assumes \$1,600 cost to purchase and install meter.
- ▣ Payback = 6.7 years

	New Methodology - Winter Time Billing	New Methodology - Summer Time Billing (storm water included in sewer rate)	New Methodology- Summer Time Billing (with second meter discount)
Water Consumption	20 units	55 units	55 units
Water	\$87.20	\$239.80	\$239.80
Sewer	\$134.80	\$370.70	\$370.70
Meter Charge	\$8.00	\$8.00	\$16.00
Storm Water Fee	\$45.75	\$45.75	\$45.75
Second Meter Discount	N/A	N/A	-\$235.90
Total Quarterly Bill	\$275.75	\$664.25	\$436.35

## OPERATING PHILOSOPHY:

### 10 YEAR HISTORY OF WATER CONSUMPTION



- Water usage in long term decline
- Decline is nationwide – not just this area.
- As sales decline, revenues decline, but costs keep going up.
- Rates must go up faster than inflation to cover difference.
- Offering discounts for outdoor water use will accelerate trend.



## SECOND WATER METER

### SUMMARY:

- ▣ Requests for second meter are not new.
- ▣ With Storm Water Utility fee, payback period for second meter is longer than ever.
- ▣ Second water meter would require lost revenues to be redistributed to everyone else.
- ▣ Second water meter is not recommended.



## MEMORANDUM

Engineering Dept.  
Dept. of Public Services  
Finance Dept.

**DATE:** January 16, 2017

**TO:** Joseph Valentine, City Manager

**FROM:** Paul T. O'Meara, City Engineer  
Lauren Wood, Director of Public Services  
Mark Gerber, Finance Director

**SUBJECT:** Proposal and Analysis:  
Second Water Meter for Outdoor Use Only

The City of Birmingham, like all communities in this area, provide the opportunity to connect to the public water supply and sewer system provided previously by the City of Detroit (now the Great Lakes Water Authority (GLWA)). In order to account for the costs incurred by these services, separate funds are operated known as the Water-Supply System Receiving Fund (Water Fund), and the Sewage Disposal Fund (Sewer Fund).

The Water Fund budget planned for revenues of about \$5.7 million for fiscal 2016-17, based on a rate of \$4.36 per 1,000 gallons used. Expenditures in the Water Fund are split into two main categories, as follows:

Water Supply (purchased from SOCWA <sup>1</sup> )	55%
City Maintenance and Capital Improvements	45%

The Sewer Fund budget plans for revenues of about \$10.9 million for fiscal 2016-17, based on a rate of \$9.68 per 1,000 gallons used. Expenditures in the Sewer Fund are split into three main categories, as follows:

Sewage Disposal (charged by the OCWRC <sup>2</sup> )	42%
Storm Water Disposal (charged by the OCWRC)	31%
City Maintenance and Capital Improvements	27%

When a homeowner receives their quarterly water and sewer bill, it clearly shows that only 31% of their expense covers the cost of water supply; the remainder goes to disposing of sewage. For those seeing much higher water bills during the summer lawn watering season, it is reasonable to assume that a large amount of the water used never returns to the sewer system – it either evaporates or is deposited into the ground water table.

<sup>1</sup> Southeast Oakland County Water Authority

<sup>2</sup> Oakland County Water Resources Commissioner

For those that choose to maintain a high quality landscape, a high water bill appears to represent an unfair method of calculation that could be rectified easily by the installation of a second water meter. The first water meter would measure all water drawn from the City system and used on the property. The second water meter would measure the fraction of water from the first meter that is then used to water the landscape outside of the home. For billing purposes, the Water Meter Dept. would have to collect two numbers from the home. The first number would calculate the total fee that would be charged for any homeowner (units of water used times the combined rate charges from the water and sewer system). The number of units measured from the second meter would then be subtracted by the units measured by the first meter. That number would then be multiplied by the sewer system rate, and subtracted from the initial charge, thus providing a discount to the homeowner that has installed a second water meter. However, offering discounts to a select group of customers will result in recouping revenues from the customer base as a whole.

The following section of this report will be split into four parts. The first part will consider the position that some percentage of outdoor water does end up in the sewer system, although that percentage has been difficult to quantify. The second part will analyze the impact such a discount would have on various parts of the sewer billing system, both before and after the institution of the new Storm Water Apportionment Ordinance. The third part will consider the impact on the administrative and field staff involved in water metering and billings. The final part will summarize the issue.

## OUTDOOR WATER USAGE

Typically, consumers assume that all water used for outdoor purposes soaks into the ground, and none of it returns back into the sewer system. However, this is not so. Most of Birmingham was developed by the 1930's, at a time when combined sewer systems were the norm. In fact, about 94% of Birmingham is within a combined sewer district, meaning that all flows, whether they be sanitary sewage from a building, or rain water from a street, is directed to the same sewer system, and ultimately treated at the sewage treatment plant owned and operated by the GLWA. At the time the system was built, there was little concern for being water tight. Almost every street drain, yard drain, and footing drain are connected to this system, directing wastewater to the sewer system which must then be treated. Plus, as the system ages, defects in the pipes and manholes allow ground water to infiltrate into the sewer system, all of which must be treated. While sewer improvements being constructed today are much more water tight, these improvements only make a small reduction in flows compared to the system at large. (While operating a combined sewer system is higher than a newer separated system, it is much less than the cost of building a new separated system today.)

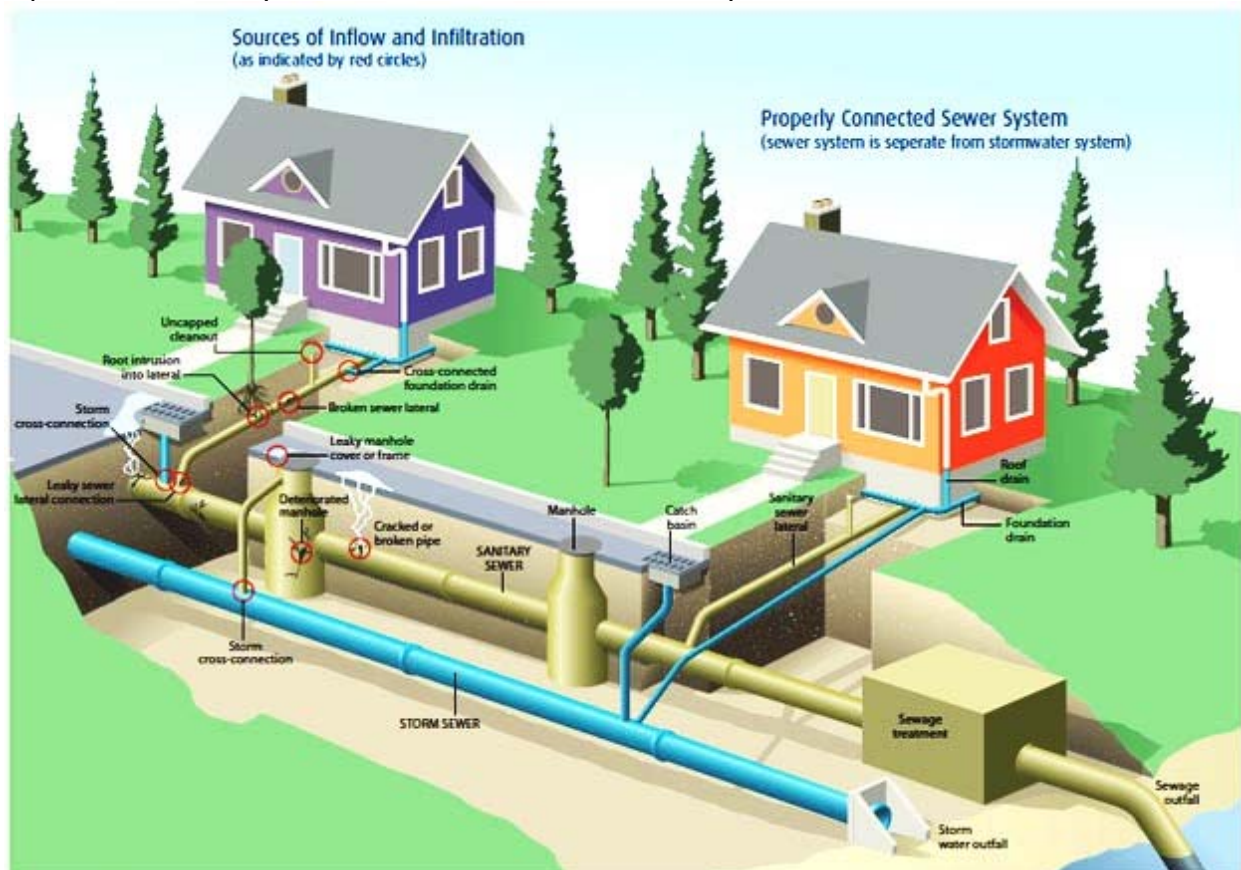
The drawing below helps clarify the many sources of water infiltration that enter the sewer system. The orange house on the right depicts a newer home connected to a separated sewer system. Only sanitary sewage from the house is directed to the public sanitary sewer system. Roof drains, footing drains, and drains in the street are connected to a storm sewer, which is then directed to a nearby waterway (not to the sewage treatment plant).

The purple house on the left is more typical to what is found in older combined sewer neighborhoods such as Birmingham. In addition to the sanitary sewage, footing drains, yard drains, and street drains are connected to the sewer system. In addition, older pipes with



multiple joints are more likely to take on ground water through cracks and joints, further compounded by root intrusion. (Birmingham fortunately no longer allows roof drain connections into the sewer as shown on the drawing.)

Consumers often think that the sewer lines are deep and watering the lawn does not impact the system. However, loose, often sandy soils used to backfill trenches around the sewer and home often act as a sponge, encouraging excess groundwater to flow back to the sewer. In order to better understand this factor, the amount of flow being measured from a sewer meter late at night at the end of June, 2016, was measured. The flow from a large drainage area at 4 AM after three weeks of very dry weather should reflect to the best degree possible the amount of flow being generated at that time by irrigation that returns to the sewer. Based on this measure, about 0.8% of the total flow charged to customers for irrigation ended up back into the sewer. During wetter, more normal summer weather patterns, one could argue that more water would return to the sewer, as the groundwater table would not be able to absorb as much of the irrigation water. Even if this number were doubled, however, it still would represent a relatively small amount of the flows in the system.



With the above in mind, it appears that water returned to the sewer from irrigation systems is not as big of a factor as historically thought.

### IMPACT ON SEWER BILLS – PREVIOUS BILLING METHOD

The following table demonstrates how the installation of a second water meter, using the City's previous billing mechanisms, would have impacted a water and sewer bill during the peak summer watering season:

AVERAGE WATER/SEWER BILL IN EVERGREEN-FARMINGTON DISTRICT FOR A SINGLE FAMILY HOME, 50' x 150' LOT (WATER & SEWER BILLING INCREASES 150% FOR 3 SUMMER MONTHS:

	Old Methodology – Winter Time Billing (storm water included in sewer rate)	Old Methodology Summer Time Billing (storm water included in sewer rate)	Old Methodology Summer Time Billing (with second meter discount)
	20 units	55 units	55 units
Water	\$87.20	\$239.80	\$239.80
Sewer	\$193.60	\$532.40	\$532.40
Meter Charge	\$8.00	\$8.00	\$16.00
Second Meter Discount	N/A	N/A	-\$338.80
Total Quarterly Bill	\$288.80	\$780.20	\$449.40 <sup>3</sup>

Operating under the assumptions noted, and also assuming that the bulk of outdoor watering occurs over a 3 month period, the homeowner would see a substantial 44% reduction in costs during the peak watering period, or a 21% reduction in annual costs.

Using these simple numbers above, it is also possible to develop the length of time it would take to pay back the cost of the second meter. Combining plumbing contractor cost and City meter installation, it can be assumed that the installation of a second meter would cost the average homeowner \$1,600. If \$330 is saved per year in annual water and sewer treatment costs, the homeowner would break even in **4.85 years**.

### IMPACT ON SEWER BILLS – NEW BILLING METHOD WITH STORM WATER CHARGE

In January of 2017, the City Commission authorized a new billing system for sewage treatment in the City of Birmingham. The changes are explained in detail in the new Storm Water Apportionment Ordinance, as detailed in Section 114-400 of the City Code. The City was mandated to implement this ordinance as part of a court settlement, in an attempt to collect fees for storm water services in a manner that is more proportionate to the burden each user puts on the system.

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<sup>3</sup> Calculation assumes no change in overall rates, and internal household water usage stayed constant all year long.

With the new storm water charges coming into effect currently, the benefits to be derived from a second meter will be reduced. Storm water charges will now be based on how large a property is, and will not change at all relative to how much water is used through the meter. As a result, the sewer rate per 1,000 gallons will drop by 30%. The following table repeats the calculations developed for the table above, only using the new sewer rate method:

**AVERAGE WATER/SEWER BILL IN EVERGREEN-FARMINGTON DISTRICT FOR A SINGLE FAMILY HOME, 50' x 150' LOT (WATER & SEWER BILLING INCREASES 150% FOR 3 MONTHS IN SUMMER):**

	New Methodology - Winter Time Billing	New Methodology - Summer Time Billing (storm water included in sewer rate)	New Methodology- Summer Time Billing (with second meter discount)
Water Consumption	20 units	55 units	55 units
Water	\$87.20	\$239.80	\$239.80
Sewer	\$134.80	\$370.70	\$370.70
Meter Charge	\$8.00	\$8.00	\$16.00
Storm Water Fee	\$45.75	\$45.75	\$45.75
Second Meter Discount	N/A	N/A	-\$235.90
Total Quarterly Bill	\$275.75	\$664.25	\$436.35

Under the new billing method, the average customer with a second water meter using the same amount of water in the summer would now see a 35% reduction in costs during the peak watering period, or a 16% reduction in costs overall. If the City chooses to allow the installation of second water meters, the impact on overall City revenues should not be as significant as it would have been before, but the benefits to be gained by the individual homeowner will not be as great, either. Also using the numbers above, the payback period for a customer that expends \$1,600 to have the second meter installed will now take **6.7 years** to recover this cost.

### IMPACT ON SEWER FUND

As noted above, the sample customer installing a second water meter would potentially see a 16% reduction in their total water and sewer bill during the peak watering months. The City, unfortunately, would not see any changes in its expenditures. In the current fiscal year the Sewer Fund must raise almost \$11 million to cover its operating expenses. It can be assumed that if allowed, second water meters would be most popular with those customers currently paying higher than average water and sewer bills. The customers that would participate are likely those that would stand to gain the most, but would also cost the Fund the most in reduced billings. The basic sewer rate charged to all would have to increase faster than it otherwise would to ensure that the Sewer Fund continues to collect the revenues needed to pay its expenses. Currently, it could be argued that those that choose to water their landscaping more subsidize those that do not by keeping rates lower. If second meters for outdoor use became popular, then the whole customer base would be impacted with higher rates. The



extent to which this would happen depends on how popular the second water meter concept becomes, as outlined below:

Percentage of Irrigation Water Removed from Sewer Rate					
	Current Rate	25%	50%	75%	100%
Sewer Rate	\$6.74	\$7.16	\$7.65	\$8.20	\$8.85
% Increase		6.2%	13.5%	21.7%	31.3%

#### IMPACT ON WATER METER DEPT. & TREASURY DEPT.

If second meters were allowed, there would be an initial increase in staff time to install, inspect, and set up the meters to be read and billed by the system. The Dept. of Public Services currently has two employees dedicated to the Water Meter operation, servicing 8,500 accounts. Should the number of meters grow in the system to service this new program, then additional hours will have to be made available to service this increased number. The extent to which this would change the current operation is difficult to predict until the popularity of the second meter concept is known.

#### OVERALL OPERATING PHILOSOPHY

As you are likely aware, the United States has adopted a policy of water conservation. There are several regions of the nation now suffering from a shortage of fresh water ready and available to treat and use for potable domestic water use. Some water districts in the southwest are now in crisis, and water rationing and outdoor watering bans are commonplace. Fortunately, such measures are far from being necessary in Michigan, and are not anticipated in the foreseeable future. Even so, nationwide policies such as low flow devices on faucets, low water usage dishwashers and washing machines, etc., are making an impact everywhere, including in Michigan. As homes, plumbing systems, and appliances are replaced, demand for water goes down. The City of Birmingham has experienced a 12% decrease in water demand over the past ten years, a decline being seen in all stable population areas within the GLWA service area. While the number of units of water declines, expenses related to performing the tasks involved in water treatment continue to go up. GLWA has become aggressive at watching costs and reducing staff where possible, but costs will still continue to go up. Since less units of water are being sold, the rate charged on a unit must go up faster to keep revenues increasing to cover such costs. If second water meters are allowed, the number of units of sewage treatment sold to the customer base will decline even faster, thereby just increasing the need to raise rates faster on the customer base as a whole.

Considering again the goal of conservation, if the cost of watering a lawn appears to go down, that will encourage those with a second meter to water more than they otherwise would. While this will increase units of water sold (a positive thing when trying to keep water rates low), it will work against the nation's overall goal of conserving fresh water resources, and it will increase reliance on the public water system.

#### SUMMARY

The City of Birmingham has had requests for a second water meter for at least 20 years, if not longer. Such requests have not been entertained, due to the counterproductive nature that

such an effort would entail. While the benefit to those who use lots of outdoor water is clear for a select group of the customer base, that benefit will not be realized as much with the new billing system that is now going into effect (hence, the payback period to cover the costs of the second water meter will be longer.) With either billing system, drawbacks remain to the system as a whole, such as:

1. As second water meters become more popular, discounts issued to a select customer group will grow, and the base sewer rate will have to grow as well to ensure that all expenditures can continue to be paid.
2. While it can be said that those who choose to be heavy outdoor water users currently subsidize the system by paying more than their fair share, implementing a system with many second meters would distribute that cost to all users, not just those that choose to irrigate their property a lot, but rather, all users.
3. With improved efficiency in data collection, the City has been able to reduce its staff engaged in the Water Meter Shop operation. Depending on how many new meters are added to the 8,500 currently in service, additional staffing resources may have to be deployed.

To summarize, there has always been pressure to allow second water meters. That pressure has grown as rates have risen, and is compounded after a dry summer, such as that experienced in 2016. With the implementation of the new Storm Water Ordinance, the billing system is already changing significantly this year. All customers will see differing numbers from years past. The amount of change from winter to summer will be reduced. It is recommended that all customers be given at least 12 to 24 months to experience a dry summer with the new billing system, and to determine if the desire to add the burden of additional meters in the system is truly needed or desired. After a dry summer, the issue can then be considered again.

**DATE:** January 16, 2019

**TO:** Joseph A. Valentine, City Manager

**FROM:** Paul T. O'Meara, City Engineer

**SUBJECT:** Major Street  
Capital Improvement Plan

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The list below, supplemented by the attached maps, provides a list of currently planned capital improvement projects on Birmingham's major street system. The years noted are with respect to construction season, rather than fiscal year. All projects listed below (other than 2019) are subject to being authorized in future budget years.

## **2019**

### **14 Mile Rd. – Greenfield Rd. to Crooks Rd.**

Birmingham and Royal Oak share joint jurisdiction of the section of 14 Mile Rd. from Greenfield Rd. to the easterly City limit. From the City limit to the east, the road is 100% Royal Oak jurisdiction.

Several years ago, the City of Royal Oak was successful in securing an 80% federal grant to resurface the segment of 14 Mile Rd. from Woodward Ave. to Crooks Rd. About a year later, Birmingham and Royal Oak worked together to secure funds from a different program to allow for 80% federal funding the of the remaining Birmingham segment (Greenfield Rd. to Woodward Ave.). Birmingham and Royal Oak will share equally in paying for the remaining local share, while Royal Oak will be the lead agency in charge of the project. Birmingham's share of this project is currently estimated at \$250,000. The work is expected to begin in late June of this year.

Due to this work being scheduled, three other projects have since been planned:

1. Royal Oak plans to replace a water main on the south side of the street on two segments. One section will be from Woodward Ave. to Eton Rd., and the other will be from Mankato Rd. to the CN Railroad bridge (near the far southeast corner of Birmingham). The contractor will use the pipe bursting method, where a new larger plastic pipe is forced through the cavity being left by the old water main. This method will reduce damage to the pavement. The work is planned to be completed from March to June of this year.
2. SOCWA (Southeastern Oakland Co. Water Authority) plans to replace a water main on the south side of the street from Greenfield Rd. to Eton Rd., as well as relocate a valve pit at the Coolidge Hwy. intersection. Like the Royal Oak project, the contractor will use the pipe bursting method. The work is planned to be completed from February to June of this year.



3. The Road Commission for Oakland Co. has identified a high crash pattern at the intersection of 14 Mile Rd. and Greenfield Rd. They believe that this problem can be reduced by an updated traffic signal. Plans are currently out for bid. The City of Birmingham is responsible for 16% of the cost of this project. Birmingham's share is estimated at about \$30,000.

All of the projects will require some form of traffic control measures. Generally, 14 Mile Rd. will be reduced to one traffic lane in each direction.

#### Collector Street Paving Program

As you know, Birmingham has spreading three phases of major downtown street improvements plans over a four year period. Since 2019 will be an "off" year, we have scheduled work on some other smaller collector streets in the Central Business District and Triangle District that are in need of repair. The work will generally occur during the summer months of this year:

1. **Park St. – Oakland Blvd. to Hamilton Ave.** – The pavement on this block is currently in poor condition. Plans are currently being prepared to remove and replace this block with new concrete pavement, as well as curb and gutter.
2. **Peabody St. – Maple Rd. to Brown St.** - The pavement on this block is currently in poor condition. Plans are currently being prepared to remove the pavement, while saving the newer curbs and sidewalks, and replacing it with full depth asphalt.
3. **Bowers St. – Woodward Ave. to Adams Rd.** – The water main on this segment is in need of replacement. Plans are currently being prepared to replace the water main, make needed repairs to curbs and sidewalks, followed by resurfacing of the asphalt surface.
4. **Elm St – Bowers St. to Woodward Ave.** – Both the water main and pavement on this block are marginal. Plans are currently being prepared to replace the water main and resurface the pavement with an asphalt overlay.

#### Coolidge Hwy.

Birmingham and Troy share joint jurisdiction of the section of Coolidge Hwy. from Derby Rd. to Maple Rd. The pavement on the southbound lanes are currently in poor condition. Removal and replacement of the existing asphalt overlay on the southbound lanes only is planned for the fall of 2019. Traffic will be switched to two-way traffic on the northbound lanes during construction.

### **2020**

#### Maple Rd. – Southfield Rd. to Woodward Ave.

As has already been discussed with the City Commission, two federal grants have been obtained to help defray the cost of the Maple Rd. reconstruction project. The work will consist of three different segments:

1. At Southfield Rd., the intersection will be moved to the west to allow for more conventional 90° turns, which will be a safety improvement over the current condition.
2. Between Southfield Rd. and Chester St., the existing asphalt surface will be milled and resurfaced.
3. Between Chester St. and Woodward Ave., the street will be completely renewed, including new sewer, water main, concrete street, streetscape, traffic signals, electrical upgrades,

fiber optic network, and landscaping. The work will be designed to tie into the newly completed improvements at the Old Woodward Ave. intersection. Work is tentatively scheduled to start in March, 2020.

Traffic will be detoured to the old Ring Road system to allow for construction to move as quickly as possible.

Cranbrook Rd. – Maple Rd. to 14 Mile Rd.

Cranbrook Rd. is under the jurisdiction of the Road Commission of Oakland Co (RCOC). The RCOC has approached City staff asking that Birmingham offer to pay 25% of the cost of this project. Bloomfield Twp. Would likewise pay 25%, and the RCOC would pay the remaining 50% of the cost. No federal funding is available for this project. The RCOC has agreed to the concept of changing the current 4 lane segment between Maple Rd. and Lincoln Ave. to a 3 lane road. Other multi-modal improvements are currently being explored, and will be reviewed soon by the Multi-Modal Transportation Board.

Grant St. – Lincoln Ave. to Humphrey Ave.

The pavement on this two-block segment of Grant St. is in very poor condition. Improvements to the water and sewer systems is planned, followed by new concrete pavement.

**2021**

Adams Rd. – CN Railroad Bridge to north of Madison Ave.

Birmingham has been awarded a federal grant to cover 80% of the cost of resurfacing this segment of Adams Rd. Later this year, the Multi-Modal Transportation Board will begin discussing the feasibility of implementing a 4 to 3 lane conversion. Initial talks with the RCOC indicate that they will also be receptive to carrying new left turn lane through the bridge, and north to Big Beaver Rd. A full traffic analysis will be completed and reviewed by the Board before finalizing this proposal.

Oakland Blvd. – Old Woodward Ave. to Woodward Ave.

The pavement on this segment is in poor condition. Current plans call for a review of this street by the Multi-Modal Transportation Board for modifications in accordance with the Master Plan, followed by resurfacing.

Pierce St. – Lincoln Ave. to Bird St.

Water main replacement, followed by asphalt resurfacing, is planned for this corridor.

**2022**

Old Woodward Ave. – Brown St. to Landon Ave.

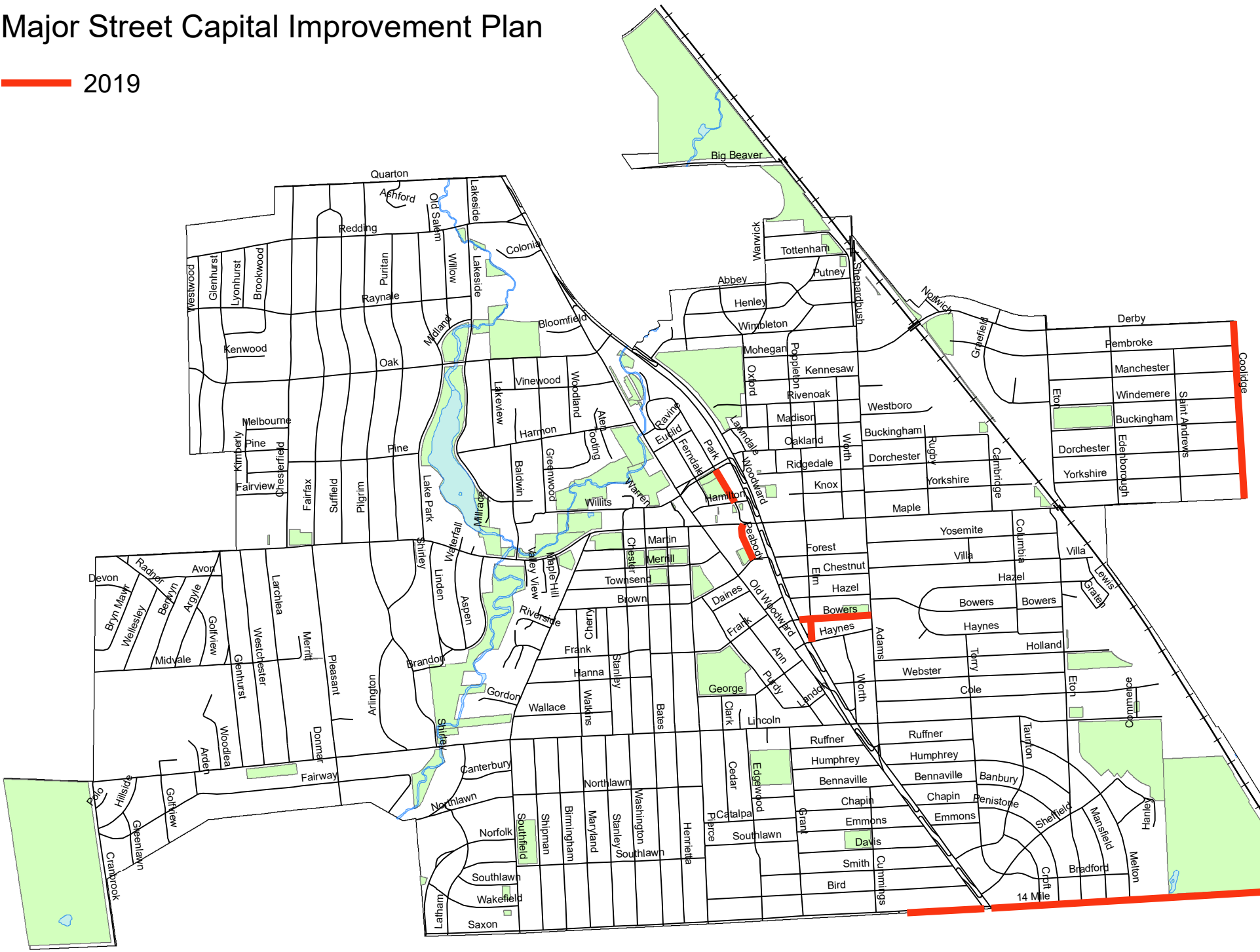
The final phase of the major improvements planned for the Central Business District will allow for replacement of the remaining “original” section of Old Woodward Ave. The water and sewer system will be upgraded as needed, followed by the same concrete street, electrical, fiber optic,

streetscape, and landscaping improvements completed in 2018 to the north. The short connector streets of Hazel Ave. and Bowers Ave. extending from this street to Woodward Ave. will also be upgraded with all new concrete. Detailed planning for this project has not yet begun.



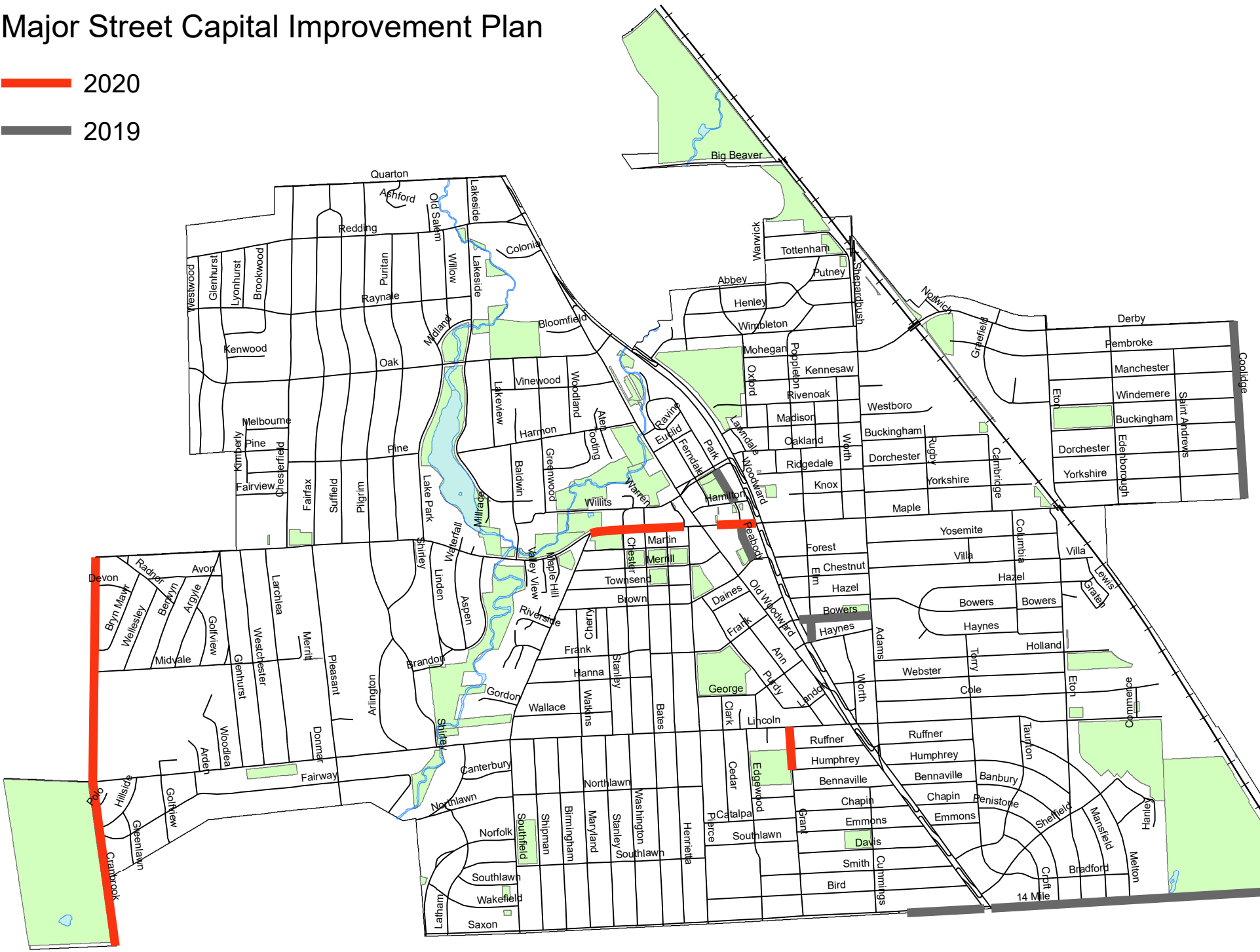
# Major Street Capital Improvement Plan

2019



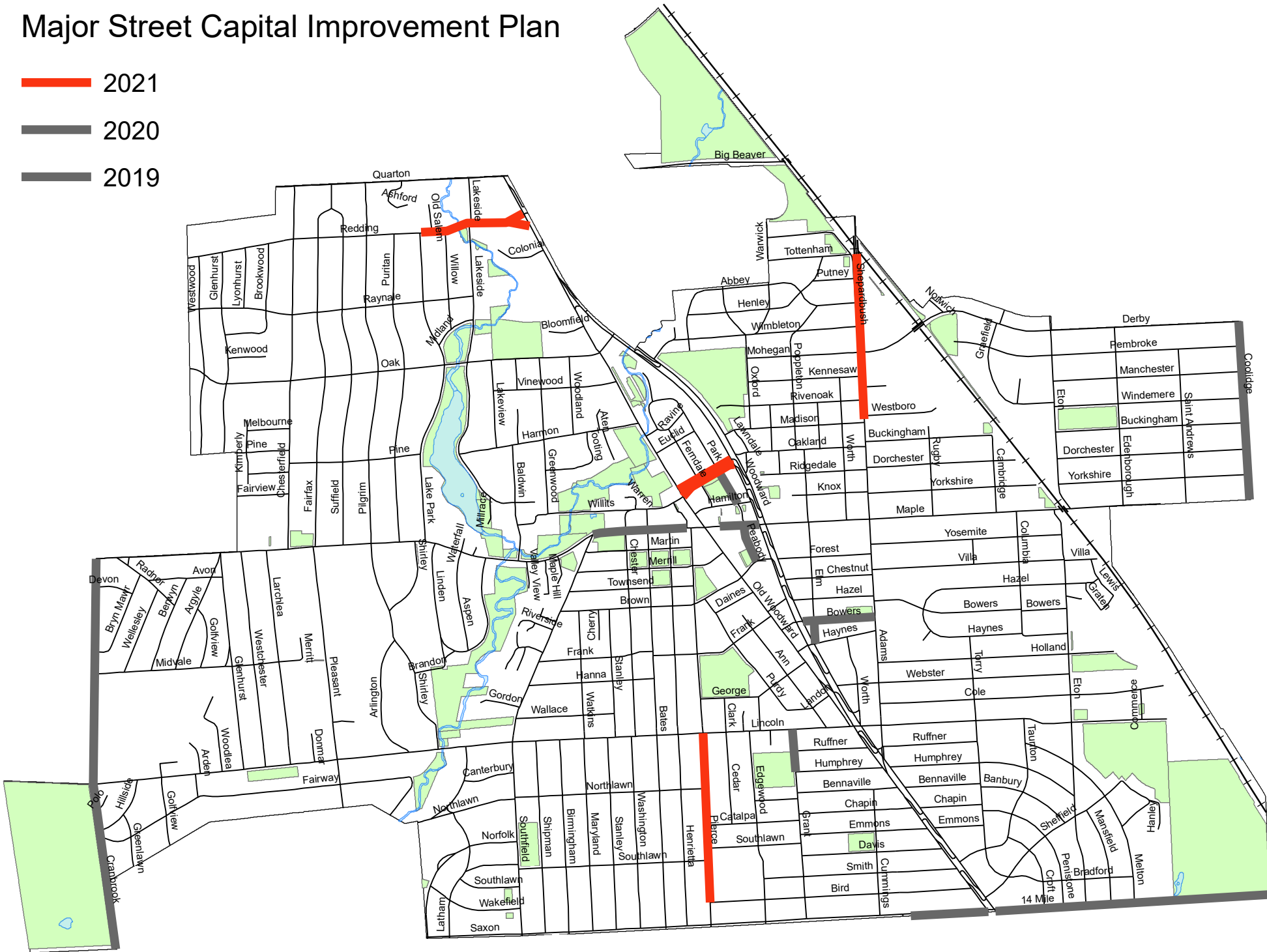
# Major Street Capital Improvement Plan

- 2020
- 2019



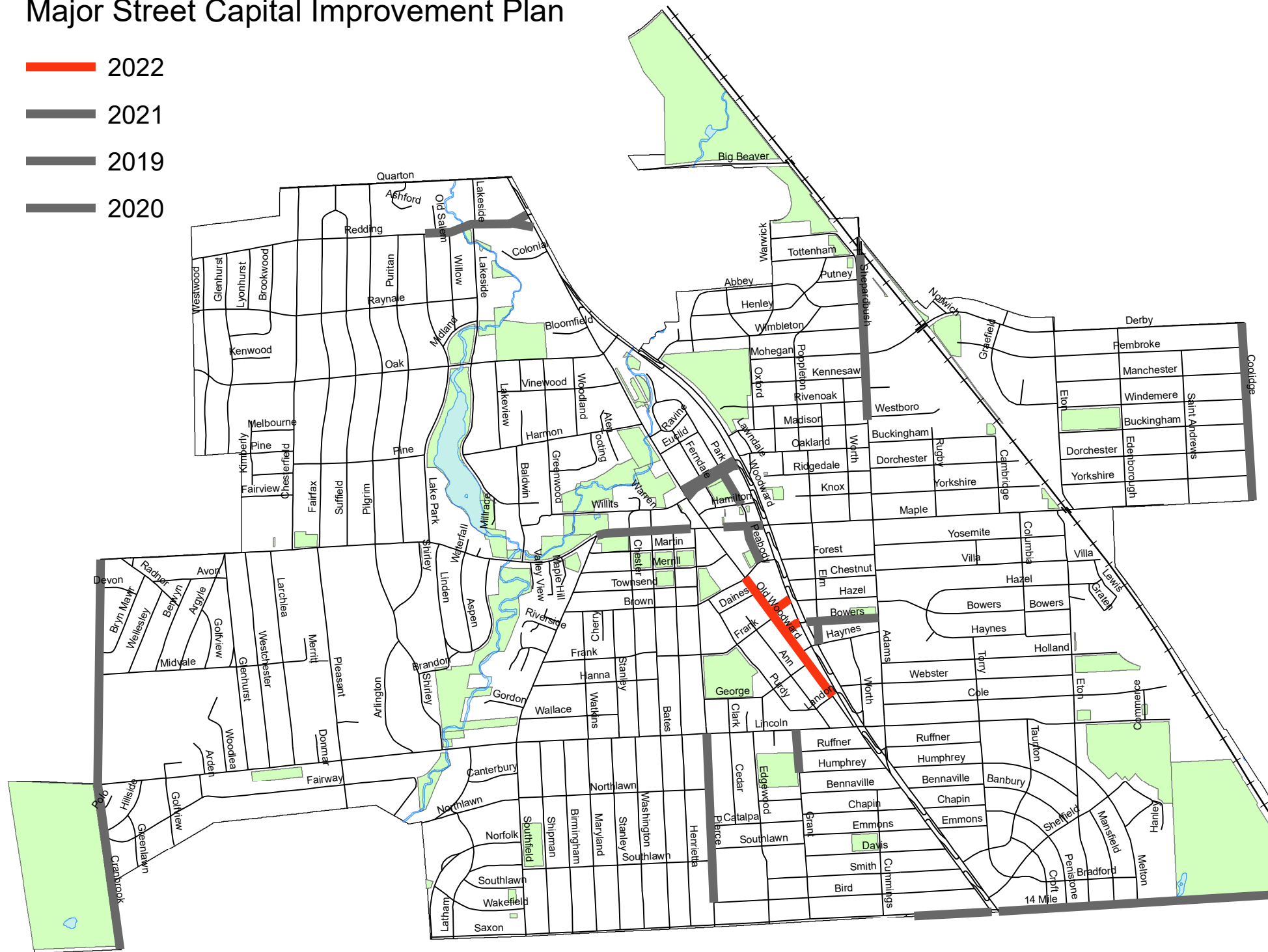
# Major Street Capital Improvement Plan

- 2021
- 2020
- 2019





2020





## MEMORANDUM

Birmingham Shopping District

**DATE:** January 26, 2019

**TO:** Joseph A. Valentine, City Manager

**FROM:** Ingrid Tighe, BSD Executive Director

**SUBJECT:** 2019-2020 Long Range Planning Presentation

The Birmingham Shopping District will address the retail attraction plan for downtown Birmingham in the 2019-2020 fiscal year. Currently the BSD retail occupancy rate is 96% and the office occupancy rate is 90%. While the occupancy rates downtown are extremely high, there are a few vacancies clustered together on high visibility corridors and the BSD continues to promote these open vacancies through its retail attraction plan. The following highlights the BSD's comprehensive business development strategy:

1. Implement a marketing strategy that specifically focuses on business development:
  - a. Advertise downtown Birmingham in real estate and trade magazines that target the retail real estate community.
  - b. Advertise business development opportunities on social media, websites, and marketing collateral directly targeting retail real estate brokers.
2. Continue outreach initiatives that promote the BSD as a great place to locate and do business:
  - a. Attend ICSC events in Las Vegas, New York City, and Michigan.
  - b. Visit thriving retail communities such as Traverse City, Saugatuck, Holland, and Detroit to invite retailers to consider opening an additional store to downtown Birmingham.
  - c. Continue to reach out to real estate brokers and host "Broker Round Tables" to educate brokers on opportunities in the BSD.
3. Consider incentive programs to assist brokers and potential tenants to locate in Birmingham. The Business Development is researching ideas such as offering additional commission to brokers or providing financial assistance to prospective tenants for items like tenant improvement allowances, etc.
4. Maintain retail consultant services to help identify strong, prospective retailers for the city.
5. Maintain newly implemented retention program for existing businesses that includes:
  - a. Professional speaker series to help businesses with their growth.

- b. Promote recently implemented BSD Gift Certificate program.
- c. Collaborate with Advisory Parking committee to promote downtown parking options.





## MEMORANDUM

Fire Department

**DATE:** December 21, 2018

**TO:** Joseph A. Valentine, City Manager

**FROM:** Paul A Wells, Assistant Fire Chief

**SUBJECT:** Fire Department Long Range Planning

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The Birmingham Fire Department is evaluated every 5 years for its effectiveness in fire protection. This evaluation is completed by the Insurance Services Office (ISO). In 2018 the Fire Department was evaluated by ISO and was awarded a rating of a 3 which it has held for the past 12 years. The evaluation is based off of four main categories. Emergency Communications, Fire Department, Water Supply, and Community Risk Reduction.

It is the goal of the Fire Department to make improvements to each category over the next four years. Once the goals are met, the department can request to be reevaluated. The Fire Department's goal is to have a rating of a 2 in 2023. An ISO rating of a 2 would reduce the cost of fire property insurance for businesses owners and residences. Listed below are the four areas that are evaluated and ways we plan to improve each category.

**Emergency Communications:** The Fire department is now using computer-aided dispatch (CAD). This system is managed by Oakland County Dispatch and the information is inputted by a Birmingham Police dispatcher. In 2018, the Fire Department started using an app that receives information about incident locations and sends details to our truck tablets. The officers are able to see the quickest route to a fire scene. While responding, fire officers can also pull up a satellite view of the location and determine what size occupancy they are responding to. Fire hydrant locations and hazards associated with the property may also be viewed.

**Fire Department:** The department is evaluated on training hours, participation in training, equipment, manpower and maintenance of equipment. Over the past few months, the department has addressed these areas in several ways. Equipment maintenance and tracking is now done through an app on each of the trucks tablets. The truck checks are tracked for efficiency and for apparatus repairs if needed. The training officer for the department is using an online training program, that tracks each firefighters training record. If a firefighter misses a training, an assignment can be issued so that each firefighter maintains 100% participation. The training now provided by the department also includes areas that are required by ISO. One of these categories is night time training, which is scheduled for 2019.

**Water Supply:** ISO reviews the distribution of water in each community. The Fire Department currently flows one third of its hydrants annually. To achieve a higher ISO rating, the fire department plans on increasing the amount of hydrants flowed and inspected each year.



## MEMORANDUM

Police Department

**DATE:** December 20, 2018

**TO:** Joseph A. Valentine, City Manager

**FROM:** Mark H. Clemence, Police Chief

**SUBJECT:** 2019-2020 Potential Long Range Planning Topics

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The following topics are priorities for the Police Department moving forward in the 2019-2020 fiscal year:

### **Michigan Association of Chiefs of Police Department Accreditation Program**

The Michigan Association of Chiefs of Police (MACP) has put into place a program for a voluntary statewide law enforcement accreditation for Michigan. The foundation of the program lies in the voluntary adoption of standards containing a clear statement of professional objectives. Accreditation status would represent a significant professional achievement for the Department. Accreditation would acknowledge the implementation of written directives, policies and procedures that are conceptually sound and operationally effective.

In 2017-2018, the Department updated the policy and procedure manual. Accreditation would require the Department to conduct a thorough self-analysis to determine which of our existing operations already meet some of the standards and/or how the procedures can be adapted to meet the standards and professional objectives. The MACP Accreditation program would require the department to completely change the format of the existing policy and procedure manual.

The cost of this program is approximately \$3,900.00 with a recurring cost of \$800.00 every other year to maintain the accreditation.

### **Power DMS**

Power DMS is a company that provides a service that would allow the Department to electronically administer the new policy and procedure manual to assist with MACP accreditation and allow for updating and modernizing all internal communications. For example, all officers would electronically verify that they have read and understood all new policies and procedures. The Department could also conduct training on-line with all records being time stamped. Internal documents could be distributed electronically and verified through electronic

signatures. The approximate cost of the program is approximately \$4,500.00 to star-up with an annual cost of approximately \$5,800.00.

### **WatchGuard Video System**

Our current digital in car video system was purchased from WatchGuard Video at a cost of \$92,840 in September 2011. This system consists of (10) mobile video systems and (1) WatchGuard DVR installed in the booking room to record communications with prisoners and detainees. The WatchGuard system also includes a 28 TB server, back up thumb drives, control panels, front and rear cameras, audio transmitters, wireless data upload access points, software and licensing. Our original system purchase included a one-year warranty plus one additional year of prepaid maintenance. We have just entered the seventh year of extended warranty coverage, which exceeds maximum period usually allowed by WatchGuard. New to the system would be the addition of individual officer body cameras. Laws pertaining to body camera use in Michigan have been addressed by the legislature and a potential internal policy has been developed that will be examined by the City Attorney, the police unions and city administration prior to purchase and deployment.

We are pleased with the overall performance and reliability of the WatchGuard Video system. The police department has requested \$138,220 in the 2019-20 Drug and Law Enforcement Budget to replace this system. In addition, because the City is a "legacy customer," fees for evidence library, wireless transmitter kits and technical services are waived.

The WatchGuard system uses 4RE (Four Resolution Encoding) technology that features hi-definition digital video. The WatchGuard company has been in business since 2002, has approximately 50,000 units in service throughout the country and is the world's largest manufacturer of law enforcement video systems.

### **Residential Permit Parking Streets Review**

Over the course of the past two years, the City Commission has passed several residential permit parking resolutions on a number of different streets. In doing so, the City Commission also asked that each street be reviewed yearly to determine the impact of the residential permit parking ban. The streets include: Frank, Glenhurst, Haynes, Hazel and Argyle. Each of these streets was examined by Commander Grewe and found to be operating without issue. The police department has not received any further correspondence or complaints from residents living on the named streets. However, the police department does continue to receive complaints from residents on other streets requesting residential permit parking. Commander Grewe has advised those residents that the City is undertaking the issue of residential permit in the upcoming City Master Plan.

### **Community Engagement Projects**

For 2018, the police department undertook three new community engagement projects that all positively impacted our community: addressing speeding vehicle complaints in residential neighborhoods, the training of an officer as a community resource officer and finally, offering schools, businesses and religious institutions training in active shooter response. In 2019, the department would like to continuing building on these initiatives with additional new programs:



hold at least one women's self-defense class, conduct at least six residential/commercial safety/security evaluations and lastly, engage the use of the K9 therapy dog whenever possible. All of these initiatives are designed to continue to engage the public in meaningful dialogue with an educational component as well as producing a positive police citizen interaction.

Furthermore, the police department is actively working with the Birmingham Public Schools (BPS) to implement the ALICE active shooter response program. Both Commander Grewe and Community Resource Officer Pedersen will continue to assist BPS as needed and will continue to offer ALICE active shooter response training to other local schools, businesses and religious institutions.



## MEMORANDUM

Building Department

**DATE:** January 14, 2019

**TO:** Joseph A. Valentine, City Manager

**FROM:** Bruce R. Johnson, Building Official

**SUBJECT:** Long Range Planning Meeting  
Short Term Rentals/Departmental Enhancements

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### Short Term Rentals:

The practice of renting homes on a short term basis has gained a lot of media attention over the past few years and seems to be a topic of discussion in many communities. Some communities are adopting new regulations for rental dwelling units in their communities while others are updating existing standards to address perceived concerns of problems that short term rentals may cause. A few communities are holding off adding rules for short term rentals to see if issues actually arise that require additional regulations.

Birmingham has rules and regulations for both the renting of rooms and for complete dwelling units. The Zoning Ordinance allows the renting of rooms to no more than two roomers or boarders per dwelling unit. In these situations, an owner living in the home can rent rooms to no more than two persons without any special approvals, permits or licenses from the City. All dwellings not owner occupied that are being rented or leased must be licensed in accordance with rental provisions in the City Code.

There are currently 2,065 licensed rental dwelling units in the City. These are comprised of 1,560 multi-family units, 37 duplex units and 468 single family homes. The number of these that are rented on a short term basis is not currently tracked, however there are 5 that we are aware of.

The City Code has had regulations in place since 1962 for dwelling units that are offered for rent or lease. The rental program has been successful for nearly 60 years ensuring rental properties are maintained in accordance with the standards. The provisions were updated in 2008 to address overcrowding and parking concerns at these properties in the single family zoned districts. The regulations are applicable to short term rentals even though they are not specifically called out. However, updating the current regulations to isolate short term rentals makes appropriate sense at this point in time. Provisions can be added to address potential concerns and format the rules so they can be swiftly updated if necessary in the future. Staff is currently reviewing the existing rental regulations and will present recommendations to the Commission for its consideration within the next few months.

### Departmental Enhancements:

The department is using funds budgeted in the current fiscal year to enhance its service to the public through the enhancement of the office spaces within the Community Development Department. These improvements are necessary to manage our increasing workload and staffing.

We are currently developing a plan to redesign our front service counter and support staff workstations to eliminate barriers and improve functionality. The goal is to create a design that merges the public service counter and workstations into a single space allowing staff to work more efficiently. This will also enhance the customer experience as well as be more aesthetically pleasing. Though we are limited on space, we hope to gain at least one additional workstation.

We are working with a designer who is familiar with building and community development department floor plans in both Michigan and across the country. The current layout was not designed with the department and community's current needs in mind, therefore the plan will address these issues of organization, aesthetics and inefficiencies as they pertain to the current layout. A redesign is necessary for the department to adapt to the evolving nature of industry and community. The continuing progress and growth of the department requires a reevaluation of the functionality of our office space.



To: Joe Valentine, Birmingham City Manager  
From: Doug Koschik, Baldwin Public Library Director  
Subject: Long-Range Planning Session on January 26, 2019: Youth Room Expansion  
Date: January 21, 2019

At the City Commission's long-range planning session on January 26, 2019, I will deliver an update on the proposed Phase 2 of Baldwin's long-range building vision. Phase 2 would consist of an expansion and renovation of the Youth Room. I will also discuss briefly the Library's proposed Phase 3, which would affect the Circulation Desk, front entrance, and outside patio.

### ***Phase 1: Adult Services Renovation***

Baldwin completed the renovation of its Adult Services Department in June 2017.

### ***Phase 2: Youth Room Expansion and Renovation***

Phase 2 of the Library's long-range building vision would expand and renovate the Youth Room. For this project, the Library first issued an RFP for architectural services to develop a conceptual/schematic design of the Youth Room and provide cost estimates. I discussed that conceptual/schematic design at the January 2018 long-range planning session. In summer 2018 the Library issued another RFP for architectural services to carry out the design-development and construction-drawing portions of the project. The architectural firm selected for both stages was Luckenbach Ziegelman Gardner (LZG).

### ***Phase 2: Community Input***

In summer 2018, the Library put up renderings of Phase 2, along with a flip chart, in the Youth Room in order to capture input from patrons. The resulting comments are listed in Appendix C. When the Library and LZG began the design development process in September 2018, they considered all of the comments.

### ***Phase 2: Design Development***

After many working sessions with the Library's staff and Building Committee, LZG has developed a plan for the Youth Room that calls for the following:

- Expanding the Youth Room by approximately 40%--i.e. 2,000 square feet. This expansion would carry the Library building toward the north, east, and south. The expanded Youth Room would be clad in heat-and glare-reducing glass from floor to ceiling.
- Renovating the existing Youth Room, including public, staff, and storage spaces. The play area would increase in size by 130%, and the story room would increase by 160%. The number of seats would increase by 50% and would include locations where a child and adult can sit together.
- Widening the hallway leading from the lobby toward the Youth Room. This would help circulation and better connect the Youth Room to the rest of the Library. The wall on the north

side would contain a large aquarium. Off the hallway would be a room for strollers and backpacks.

- Re-arranging shelving and furniture in order to make the space ADA-compliant.
- Upgrading and expanding the public restrooms on the main floor, making them ADA-compliant in the process.
- Re-using existing shelving, wherever possible.
- Adding new furniture, fixtures, and carpeting, carrying through on a number of color and design features used in the Adult Services renovation and the refurbishment of the Grand Hall.
- Creating a more open and logical layout that, among other things, better accommodates children with special needs and improves wayfinding.
- Updating technology.
- Improving lighting.
- Adding a self-check machine to the Youth Room.
- Honoring the 1927 building wherever possible by exposing and highlighting the original brick.
- Adding an outside terrace and children's garden on the north side of the building.
- Landscaping the exterior of the building to make an appropriate transition to Shain Park and The Community House.
- In general, enhancing the Library's connection to the downtown as well as to people walking by.

Renderings of the design are contained in Appendix A.

### ***Phase 2: Approval by Appropriate City Boards***

On October 10, 2019, the Birmingham Planning Board considered and approved the Library's plan for the Youth Room. On October 17, 2019, the Birmingham Historic District Commission, as well, considered and approved the Library's plan.

### ***Phase 2: Construction Drawings***

On January 2, 2019, LZG delivered four sealed sets of constructions drawings for this project to the City of Birmingham's Planning Department. The Planning Department is currently reviewing them.

### ***Phase 2: Funding***

An updated cost estimate of Phase 2, developed by LZG, is contained in Appendix B. The estimated cost is now \$2,447,823, which is 4.2% more than projected a year ago. The Library will be able to afford the project, given current millage forecasts and the Library's successful fundraising efforts in the past year.

### ***Phase 2: Timeline***

The next steps for the project are:

1. The City's Planning Department is currently reviewing the construction drawings, and LZG will make corrections as required.
2. Once the construction drawings have been approved, the City Commission will authorize the issuance of RFPs for construction and landscaping.
3. Likewise, the Library Board will issue an RFP for furniture, fixtures, and equipment.

4. Bids will be reviewed, and contracts will be awarded, following normal City of Birmingham procedures.
5. Construction will start in summer 2019 and end in May 2020.

### ***Phase 3: Circulation, Front Entrance, Outdoor Plaza***

The plans for Phase 2 would accommodate the construction, at a future date, of Phase 3—the last of the building vision’s three phases. If we follow the timeline of the long-range building vision presented to the City Commission in January 2016 and January 2017, Phase 3 would occur in fiscal year 2022-23. It would consist of the following elements:

- Renovation of the Circulation/Commons area.
- Development of a new entry, consisting of a glass enclosure of the area lying underneath the Birkerts curve. The steps to the main floor would be redone and reduced in scope. An elevator would be installed to transport people who need assistance from street level to the main floor. A café would be placed inside the glass enclosure connected to the outside plaza.
- Upgrade of the outdoor plaza next to the entrance. The construction in Phases 2 and 3 would take a toll on the existing plaza, and enclosing the area under the Birkerts curve would transform the setting. Therefore, an upgrade to the outdoor space would be advisable and also offer the opportunity to connect the Library more effectively to Shain Park, The Community House, and the rest of Birmingham’s civic center.
- Installation of a skylight at the entrance to the Library and possibly also around the exterior of the 1927 building, along the line where the 1927 building meets the 1960 and 1981 additions. The skylight at the entrance would allow natural light to flood into the interior of the building and would expose the peak of the 1927 building to patrons walking into the Library. LED lighting, installed during Phases 1 and 2, would continue to be used to highlight the brick walls of the 1927 building when natural light is not present.

A rendering of Phase 3 is contained in Appendix A.

### ***Conclusion***

The Baldwin Public Library is pleased to present the Birmingham City Commission with its completed design for a Youth Room expansion and renovation. This project would result in the following improvements:

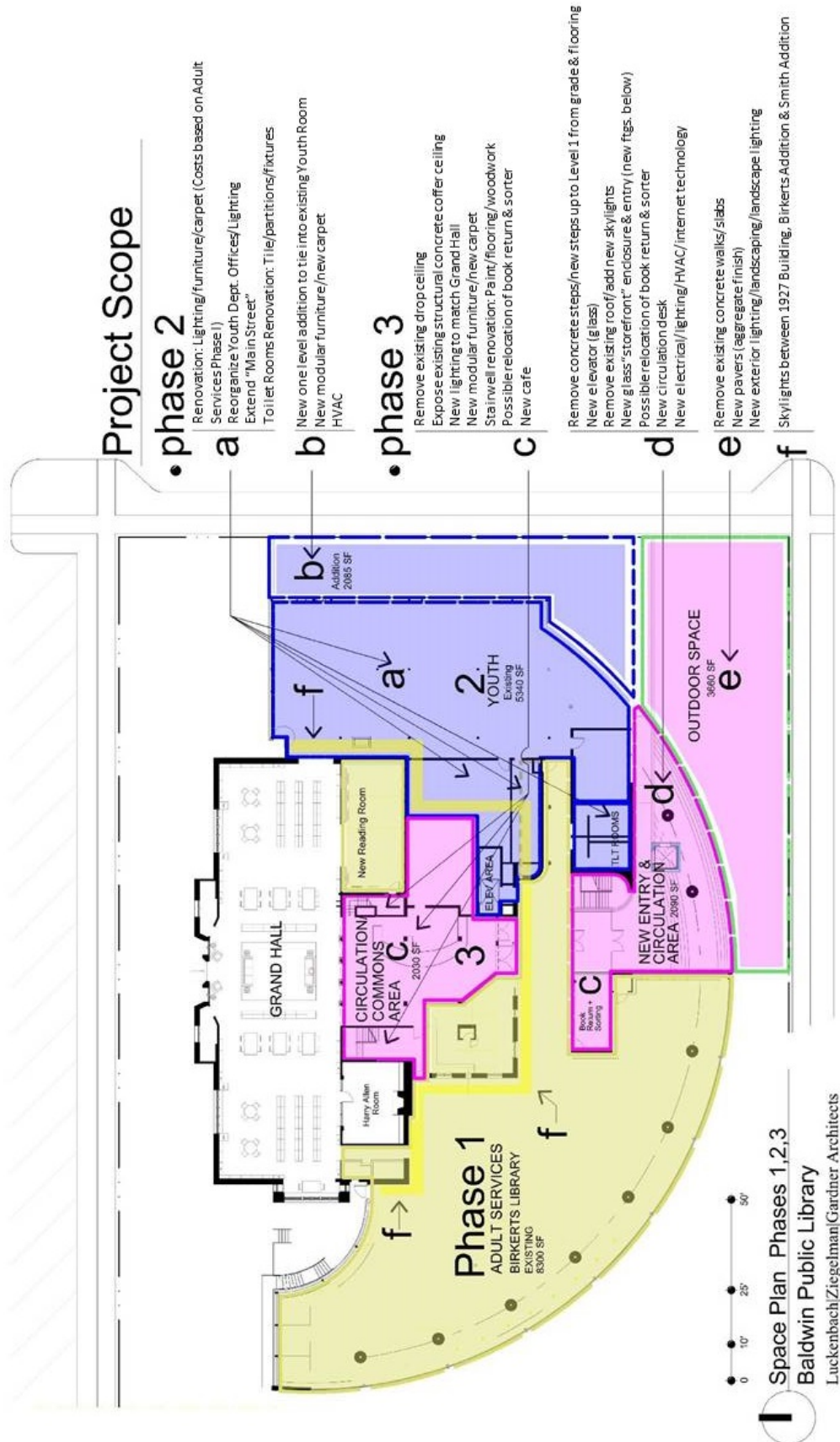
- More space for Youth Room activities.
- Full ADA-compatibility.
- Updated infrastructure, including technology.
- Better wayfinding.
- Improved access for families (strollers, wheelchairs, etc.).
- More study and collaboration spaces.
- Enhanced lighting and acoustics.
- An emphasis on Modernist aesthetics, while at the same time paying homage to the 1927 building.
- Better integration of the Library to its surroundings.



## **Appendix A**

### **Design Approach, Space Plans, and Renderings for Phases 2 and 3**

The designs on the following nine pages were developed jointly by Luckenbach Ziegelman Gardner Architects LLG and the Baldwin Public Library Board of Directors and Library Staff.



**Exterior View from East (Shain Park)**



**Exterior from North (Martin Street)**

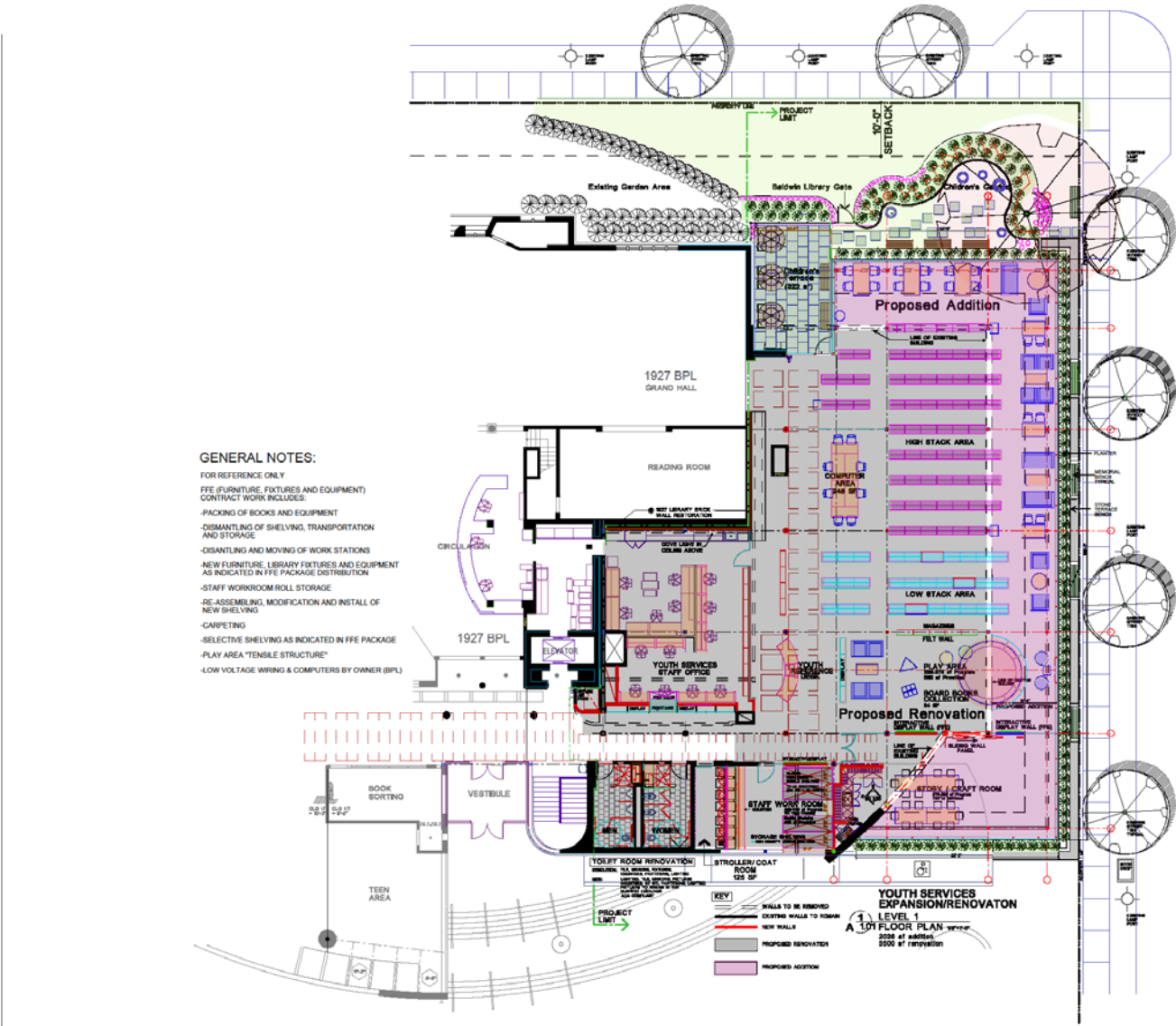


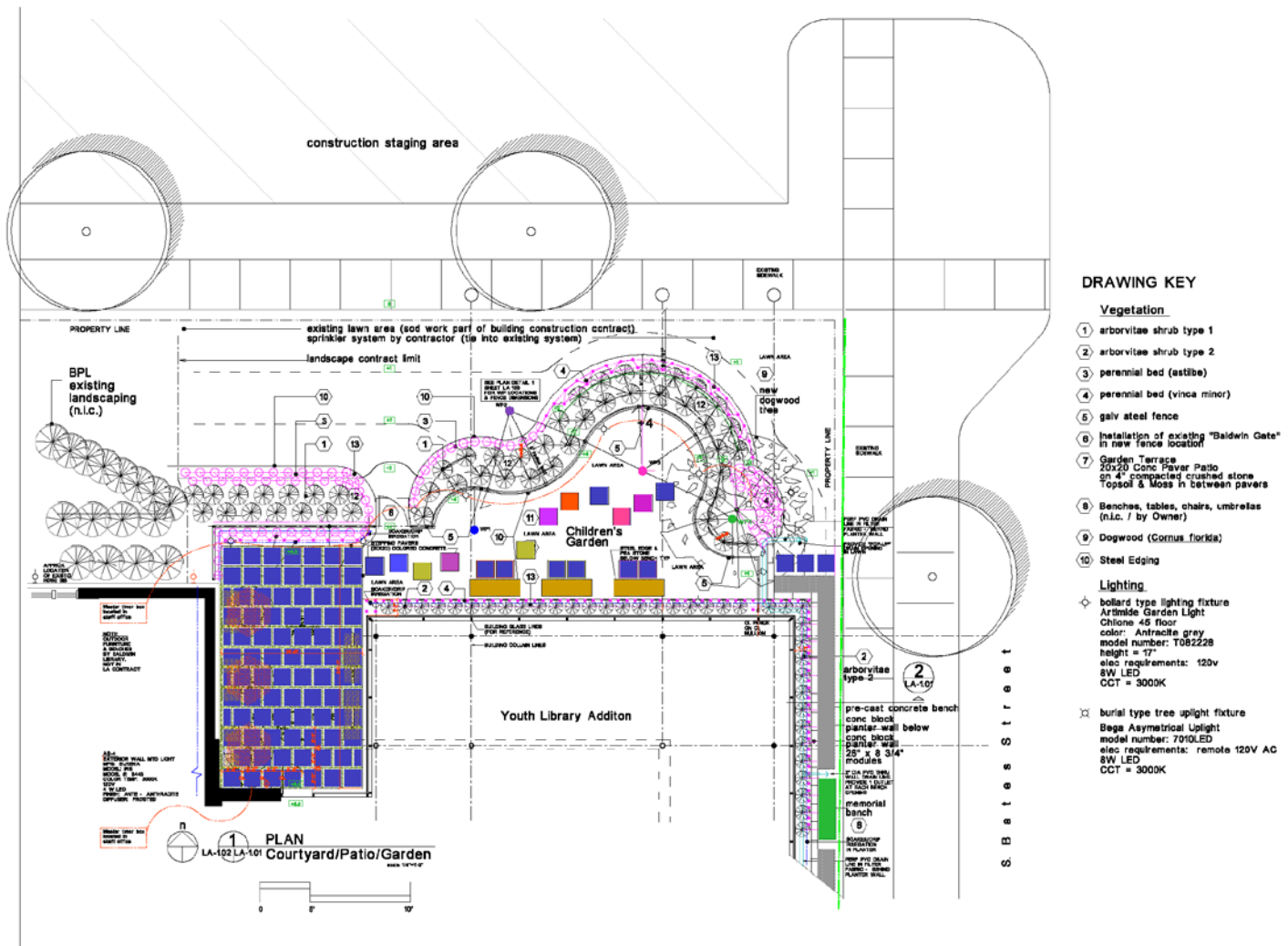


## Aerial View of Expanded Youth Room, Showing Terrace and Garden



Floor Plan





Landscape Plan



## Widened Hallway Toward Youth Room



## Play Area with Story Room to Right





**Play Area, Looking Toward Youth Office**



**Picture Book Shelves, with Story Room in Background**



## Computer Area and Exposed Brick of 1927 Building





**Exterior View from South (Merrill Street) at end of Phase 2**



**Exterior View from South (Merrill Street), Showing Conceptual Design of Phase 3**



## Appendix B

### Phase 2 (Youth Room) Cost Estimates, Revised January 2019

Construction costs for expansion and renovation	\$1,560,680
Furniture, fixtures, and equipment	485,645
Architectural and engineering fees	168,498
Landscaping, including terrace and garden	109,114
Computer wiring	7,323
Owner's contingency (5%)	<u>116,563</u>
<b>Total</b>	<b>\$2,447,823</b>
Library Trust funds, fundraising & fund balance	<u>-425,210</u>
<b>Additional Library millage up to the Headlee cap</b>	<b>\$2,022,613</b>

The additional Library millage comes from fiscal years 2018-19, 2019-20, and 2020-21.

These costs include general conditions and construction phasing.

The Library is committed to keeping the costs of the project as low as possible. Some value engineering might be necessary once the bids have been received.

## Appendix C

### Patron Comments from Flip Chart in Youth Room, June-September 2018

#### What do you think of the proposed Youth Room Expansion & Renovation?

##### Windows

1. We love the windows!! The youth library gets so much use; we'd visit more if bigger b/c gets cramped. Thank you!
2. Excess windows – shades for direct morning sunlight? A/C costs
3. Love the windows – warmth in winter morning sun
4. A lot more solar heat – make sure A/C properly routed and with capacity
5. Negative: \$ 4 HVAC done to greatly increased window area, Positive: Great! More roooooom 4 kidz!
6. It looks beautiful and it is a nice view if you're going to read a book
7. Hopefully there are treatments to keep children's loud voices from drifting into rest of library. Lots of glass = bouncing sound
8. How will all the glass be heated in the winter?
9. No glass, roof too hot!
10. The glass is really cool!
11. I like the windows

##### Seating

1. I like the chairs. They must be comfy well get lots of shade and sunlight when we need it
2. More tables?
3. Make sure the chairs are comfy
4. More and or better couches
5. Bean bag chairs x4
6. Please add bean bag chairs and more books
7. More couches
8. More comfy chairs
9. Kind of boring. Not a lot of furniture
10. Get more comfy spots!
11. More room to read books
12. Please have chairs
13. Needs more seating, other than that looks good
14. Looking good are those pods for seating?
15. Please add seating
16. There are NO chairs in the current youth room so please add them
17. Needs more comfy seating
18. It looks good! Make sure there are chairs please ☹
19. Needs more seating but other than that it looks good
20. Looks okay make sure there's more seating
21. Reading lounge like the adult one but with more color
22. Few chairs in classroom for grandmas
23. More reading nooks



24. More places to sit
25. Make sure there are chairs! Or couches
26. Reading cubbies look awesome!
27. Chairs!
28. It looks great make sure there are seats!!
29. It looks great, make sure there are seats!!
30. I think you should add modern furniture
31. Looks okay but I would want more furniture and what are those pods?
32. Comfy reading corner please

### **Cafe**

1. Looks awesome! But needs a café!
2. Food
3. Drinking fountains
4. I'm excited & I hope there's gonna be a café!
5. A café
6. Add café plz
7. Please have food in a café
8. It is good. There should be a lot of food and it has to be free
9. Café area for moms to talk to other moms and an area for kids to snack
10. A lot of food!
11. PLZ add a café
12. Food please
13. Food has to be free and better books
14. Add a café please!
15. Coffee area

### **Play Area**

1. Need larger play area
2. Fantastic play area!
3. Bigger space to play
4. There is a lot more room in the new area
5. Large area for toddlers to play
6. More playing areas?
7. More movable things
8. Tent/tunnel
9. Keep some books easily accessible for parents in play area
10. Thomas table!
11. Slide
12. Tenting play area
13. New felt board

### **Technology**

1. Where are the ipads?
2. We will need quiet time with wonderful well written literature; without devices 24/7! I've been reading since 4 years old and reading good books can save your marriage! (Men are from Mars, women are from Venus, Love and respect)
3. Please have/install a PS4 Xbox

4. Where are the kids computers with all the games
5. Remove Ipads and rotate toys in play area
6. X Box

#### **Fish tank/Animals**

1. Wut will hapin to the fish tank?
2. It needs live animals x6
3. Put some dogs here
4. Park for dogs & childs – Neil Pat H.
5. More pet friends (to keep the fish company!)
6. No pets: People have allergies!
7. A pet bunny (very fluffy)
8. Shark tank with great white shark

#### **Garden/Terrace**

1. Looks amazing! Love all the different spaces to read. Too bad about those beautiful maple trees, though the garden will hopefully have a tree!
2. Outdoor space
3. Love the patio!
4. A play structure
5. I like the outdoor space!

#### **Restrooms**

1. More toilets!

#### **Accessibility**

1. May we have another/alternative handicap entrance/exit please?
2. Needs new entrance
3. Handicap accessible. Your library stacks are too narrow for wheelchairs
4. Eliminate/reconfigure, reorganize bottom shelf books – can't read and of the titles when they're on their sides

#### **Librarian-specific requests**

1. Quiet board games
2. More movies!
3. More education and less entertainment
4. More crafts
5. More discovery books, please!
6. Sensory story times
7. STEM Cart
8. Parent/child book clubs beginning in 1<sup>st</sup> grade
9. More books
10. Music in park
11. Storytime in park
12. A wall with librarian's favorite picks they keep refilling so busy parents can grab favorites that are sure to be good
13. Foreign language craft days
14. Storytime for 6+ after school and weekend mornings

15. It's great! Please can you add a tactile corner?
16. Need a "Code Adam" protocol please
17. More books on CD
18. Get more dog books
19. I like trains
20. Make a shelf dedicated to school: Literacy, math, comprehension, critical thinking, organized K-12 (make that 12 shelves)

#### **General comments**

- Paws up.
- Neeto – Elliot
- It will be cool. Excited for the expansion! It will be AMAZING
- So coolsom! I love it/so butiful!
- Love it – from Troy
- Beautiful
- It looks very cool! – Nia
- Excellent. Very nice design. I fully support! – Yvonne
- So great to see it's going to happen
- Just think: In 5-10 years this entire building will fit in your pocket! Why expand a soon-to-be dinosaur? Oh! I know! A new steakhouse! – Jeff
- And yet you were in here, obviously using the library. Is it irrelevant to you?
- Very cool (love the study rooms)
- STUDY ROOMS ARE AMAZING!
- Looks amazing
- It's so cool
- It looks great!
- YES!
- Easy to find books
- Amazing updates
- Love the design and deco!
- Great
- I think it's cool that they are going to renovate the youth room.
- That will be so great! – SH
- It will be awesome
- It is kewl and good
- Make it beg and get better books
- Looks Terrific!!
- It all ready looks amazing and big!!!
- It will be cool!!– ek
- That will be cool!
- Really cool and big! – RK
- It looks great, so many more book options
- More colorful would be nice!
- I'm so excited!!
- Who Cares
- Reading enhances your world – Ella D.



- We love it!
- Excited! I hope it looks cool
- So poop!
- Awesome
- #1
- Good
- Amazing!!
- Looks like a great plan!
- Thank you!
- It's very cool
- It looks really cool, hopefully it turns out well!
- I love the kids section!
- I love this place
- I love the kids
- Yay!
- My family is seriously happy!
- I think it will be a lot nicer and roomier and fun!
- Well, now I can't find anything
- Hope it's good
- I am looking forward to it! Might be interesting
- Cool looking forward to it!
- Good luck! It's needed.
- Might be interesting
- Soooo excited
- It looks so cool!
- Go for it?
- Finally – Birmingham deserves this
- Sweet! I LOL it!
- Wow! I'm sure Conor will love it
- Whahooo!
- It's gonna be great!
- I can't wait! It's going to be the best! I love it!
- It's going to be great! I love it!! Mia
- Yay! Looks cool! – CJ
- Looks so cool! Good luck builders and amazing job, designers. Can't wait to see it! - Adelle
- I love it! So happy will be helpful when I'm older! Cassie!
- Love the roof side part
- Yay!
- Cool
- Do it! Very pretty! I can't wait!
- It's really cool!
- More space is great!!
- Good
- Awesome!!
- Real nice! Rock on
- Sounds good!

- Amazing
- RLY excited
- It will be so cool and a fun environment!
- Can't wait!
- Exciting
- What a huge improvement. The kids will love it!
- Great job
- Looks great!
- So exciting
- Excellent!
- Very cool!
- I'm so excited! It looks so cool
- Looks snazzy!
- Can't wait to check it out with my friend Lily
- Within five years this entire building will fit in your pocket
- Think forward
- Looking forward to come and study in a new kids area
- Welcoming, beautiful wing
- Luv it
- I love it
- Love the idea
- I love reading at the library...yay
- Yass
- Pretty
- It looks really cool!
- That is so exciting!
- It is so cool
- I can't wait to see it!
- Thank you! We love our library
- Amazing!
- Love!
- I like reading so I come to the Library
- So cool
- Nice
- Nice job
- It's super lit
- Oh good – more construction in B'ham ☹️
- I love Baldwinlib
- It's going to be so, much FUN!
- I am so excited.
- It will be very beneficial, and I can't wait!!
- Love it! So good!
- Looks awesome!
- Looks good
- So good
- We love it!

- I am so excited and happy
- Kewl, just like life
- Cool!
- Beautiful!
- Can't wait for it!
- Super cool!
- Radical!
- Yay
- Cool
- So excited
- It looks good!
- Exciting and different
- Great!
- It looks amazing!
- I like it
- Rilly awesome
- It look great!
- Awesome!
- It looks great
- Party time
- More color
- Can't wait!
- Very excited, thank you!
- Why mess with perfection
- I like that you are getting rid of the brown/dark furniture
- Great!
- I love it
- Bigger space
- Looks great!
- Yay!
- I love it
- Yay!
- Yes! It looks awesome!
- So cool
- It looks so cool!
- Cute
- Cool and fun
- Love it when will it happen?
- Can't wait, can't wait, can't wait
- Ummm...is this the same room?
- So cool
- I can't wait!





## MEMORANDUM

Birmingham Museum

**DATE:** January 26, 2019  
**TO:** Joe Valentine, City Manager  
**FROM:** Leslie Pielack, Museum Director  
**SUBJECT:** Museum Long Range Planning Report

---

The museum staff and Museum Board have made significant progress in implementing the **Birmingham Museum 2017-2020 Strategic Plan** thus far, and during 2019, will emphasize the following priorities:

1) Implementation of Landscape Master Plan--Heritage Zone and related projects

The 2018 Birmingham Museum Landscape Master Plan features four distinct landscape zones with varied goals, but each incorporates long-term preservation in combination with improved public access and interpretation of its unique character and contribution to Birmingham's history. Because the museum landscape is unique within the city's park system, it poses greater challenges but also opportunities for bringing in new partners from the community with a stake in realizing the site's potential. The Heritage Zone has the greatest visibility and highest utilization at present, being the area surrounding the Allen and Hunter Houses and the plaza with the Hill School Bell. However, some aspects of the other three landscape zones can benefit from opportunities that may arise through eligibility for grants or coordination of projects with the Parks Department. In general, the following goals will have priority:

- Development of strategic fundraising approaches to develop significant partnerships for funding landscape preservation projects with private donors and other grant sources
- Finalization and construction of detailed landscape architectural plans that will enhance utilization and interpretation of the area and integrate with existing and planned educational programs
- Collaboration with the Parks Department on shared priorities for path and trail improvements, including potential grant funding for barrier-free access and to ensure continuity of signage and wayfinding

2) Continuation of successful community engagement and audience expansion via multiple media platforms and other points of contact.

Increasing the museum's visibility and broadening its audience is of major importance in the museum's long term sustainability. Expanding our connection to the community includes agile use of social media to help personalize the museum's outreach and meet expectations of both traditional and new audiences. These connections are also helping to build our historical collection and gain support and feedback for our programs. In 2019, we will continue to emphasize the following:

- Utilization of social media analysis to increase audience reach and identify approaches to further enhance connectivity to the museum's collection and Birmingham's history
- Building additional engagement opportunities interactively through social media to add and refine programs and fundraising opportunities such as the Heritage Zone and other landscape projects
- Provide improved online resources for researchers and the general public
- Continue expanded programs for students through creative collaboration with local schools

3) Continuation of preservation and stewardship efforts of historic buildings and collection objects and educate and expand public access.

The museum's leadership in the preservation and dissemination of historical information about Birmingham and its past is closely allied with other preservation activities in the city. The museum maintains archives of property documents, a large photographic collection, and other objects related to Birmingham architecture and cultural history. In addition, the physical site of the museum and its two buildings have significant historical importance beyond the immediate community. During 2019, the museum will strengthen its historic resources on site and work to help connect the public to other historic resources in the city with the following priorities:

- Completion of individual listing of the Allen House and grounds in National Register of Historic Places, which will elevate the standing of the entire landscape site and open opportunities for grant funding
- Assessment and development of a comprehensive interpretive plan for Hunter House as the oldest known house in lower Michigan, and the oldest known example of Greek Revival architecture in the region, utilizing its rarity in promoting local tourism and the museum in general
- Expansion and enhancement of the museum's digital collections for the purposes of preservation as well as public online access to digitized records
- Collaboration with the Historic District Commission to explore Certified Local Government grant funding for preservation projects at the Allen House and/or Hunter House
- Collaboration with the Clerk's office, Historic District Study Committee, and Friends of the Birmingham Museum to improve database and public access to information about Greenwood Cemetery and to increase public awareness of historic preservation and dissemination of information about historic sites in Birmingham

## **COLLABORATIVE HISTORIC PRESERVATION PROJECTS**

	Greenwood Cemetery (Clerk's)	Historic District Comm	Historic District Study Comm	Museum	Parks	Baldwin Library	Friends of the Museum	Birmingham Public Schools
Historic building plaque repair/replacement			X	X				
Historic walking tour-update/expand			X	X				
Heritage home certificate/plaque program-update/expand			X	X				
Raise awareness of Birmingham historical assets-press/articles/promotion, etc.			X	X				
Promotion of new properties for historic designation			X	X				
Audit/update records-designated historical buildings			X	X				
Publish Eco City survey and history			X	X				
Update/expand/digitize Greenwood Cemetery records	X		X	X			X	
Historic headstone inventory and condition assessment/repairs	X		X	X			X	
Update Greenwood biographical information for existing tour program, interactive map and online access	X		X	X			X	
Locate Potter's Field at Greenwood	X		X	X			X	
Preservation project Certified Local Government (SHPO) grant funding at Allen/Hunter Houses		X		X				
Preserve and improve Museum site and adjacent trails for enhanced public access/explore relevant grants				X	X			
Integrated/continuity of park signage and wayfinding				X	X			
Enhance/expand adult and child history-related enrichment programs				X		X	X	X





## **MEMORANDUM**

**Office of the City Manager**

**DATE:** January 16, 2019

**TO:** City Commission

**FROM:** Joseph A. Valentine, City Manager

**SUBJECT:** Adult Services

---

In an effort to address the demands of a growing adult population, the Ad Hoc Joint Senior Services Committee was established last year. This committee is comprised of representatives from Birmingham, Beverly Hills, Franklin and the Birmingham Public Schools and is directed by attached establishing resolution.

To date, the committee has had multiple meetings which raised many questions about the current arrangement for adult services and the need to provide a more formal arrangement in the future. To evaluate alternate operating models, the committee has conducted a site visit to the Older Persons' Commission in Rochester to garner an understanding of how a fully sustained senior organization is run and managed. The committee has found this exercise informative and intends to now explore a new governing model for the participating communities and Birmingham Public Schools. The first step in this process was to formalize the existing relationship with our current vendor, NEXT, and their landlord the Birmingham Public Schools. This process has been initiated and will help serve in the next step of the Committee's work in addressing how to meet the demands of an aging population by providing the needed services, facilities, operation and funding to sustain a segment of the population that will double in the next thirty years. A formal report from the Committee is expected later this year.

## **Resolution 06-189-18**

### **RESOLUTION CREATING AN AD HOC JOINT SENIOR SERVICES COMMITTEE TO CONDUCT A LONG TERM STUDY AND EVALUATION OF THE NECESSARY FUNDING AND GOVERNANCE MODEL TO EFFECTIVELY PROVIDE ADEQUATE SENIOR SERVICES TO PARTICIPATING COMMUNITY RESIDENTS.**

Whereas, the senior population aged 65 and older in Birmingham, Beverly Hills, Bingham Farms and Franklin is projected to be the largest growing population segment over the next several decades and these communities wish to prepare for the service needs of this growing demographic, and

Whereas, the communities of Birmingham, Beverly Hills, Bingham Farms, Franklin and Southfield Township along with the Birmingham Public Schools (herein referred to as Governing Body) had previously established a Joint Senior Services Committee in 2012 to present recommendations for improved senior services, and

Whereas, the Joint Senior Services committee presented their final recommendations to the municipalities in 2013, which was comprised of a two phased approach to address near term (Phase 1) and longer term (Phase 2) initiatives, and

Whereas, Phase 1 involved increased services and hours based on increased funding requests to the member communities, and

Whereas, Phase 2 involved a longer term focus centered on a dedicated funding source to address further increasing service demands and facility needs, and

Whereas, additional study and analysis is necessary to advance recommendations for Phase 2 as the current senior services funding and governance model in these communities may be insufficient to meet the increasing demand for senior services, and

Whereas, the governing bodies of the Birmingham Public Schools, City of Birmingham, Village of Beverly Hills, Village of Bingham Farms, Village of Franklin and Southfield Township wish to explore ways to meet the increasing demand for senior services.

**NOW THEREFORE BE IT RESOLVED** that an Ad Hoc Joint Senior Services Committee is hereby established to develop and recommend a long term plan for addressing the increasing demand for senior services in accordance with the following:

1. The Committee will be Ad Hoc. The term of the Committee shall continue until March 30, 2019 and the Committee will cease functioning unless otherwise directed by their respective Governing Body at that time.
2. The Governing Body hereby appoints representatives to the Ad Hoc Joint Senior Services Committee to be comprised of the following members.
  - a) One elected official from each respective Governing Body.
  - b) One resident member from each respective municipality appointed by each municipality.
  - c) One ex-officio member from each school and municipal administration.

3. All meetings of the Committee shall be open to the public. Agenda and minutes for all meetings shall be prepared.
4. The scope of the Committee shall be to develop a long term plan on how to best proceed in addressing the increasing demand for senior services in accordance with the following:
  - a. Review the Joint Senior Services Committee Final Recommendation to the Municipalities Report from June 2013.
  - b. Evaluate current service demands and projected trends for senior demographics and future service demands.
  - c. Analyze current funding sources and operational structure of the current contracted senior service model.
  - d. Compare and contrast current senior services funding and governance models in the participating communities to other area communities and best practices.
  - e. Review and evaluate cost and budget implications of any proposed recommendations and include strategic funding alternatives.
  - f. Compile the Committee's findings and recommendations into a report to be presented at the end of the Committee's term.
5. The Committee is not authorized to expend funds or enter into agreements. All recommendations made by the Committee shall be in the form of a report to the Governing Body.

**BE IT FURTHER RESOLVED,** the \_\_\_\_\_ hereby appoints  
\_\_\_\_\_ as an elected official to the Ad Hoc Committee,  
\_\_\_\_\_ as the resident member of the committee, and  
\_\_\_\_\_ as an ex-officio administration official to the committee.





## MEMORANDUM

Office of the City Manager

**DATE:** January 16, 2019  
**TO:** City Commission  
**FROM:** Joseph A. Valentine, City Manager  
**SUBJECT:** Citizen Communication Enhancement

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Over the past few years the City has made considerable enhancements with public communications through improvements to various electronic tools. The effort has involved social media applications and the enhancement of the City's website to include email and text notifications for various initiatives. A direct engagement approach has proved beneficial, but we are limited to those that sign up. With the ability to directly communicate with the public on timely and relevant issues, we are exploring a new approach that would allow the City to directly target the public for public notices, emergency alerts, special events, neighborhood projects and numerous other information residents may find helpful.

Currently, resident and business contact information is obtained for various dealings with the City involving such things as homeowner affidavits, building permits, City payments, electronic notification system participation; however, each system is separate and the internal databases do not integrate. We are looking at working with our current vendor (BS&A) to determine if the system can be modified to consolidate email addresses into a combined system that could be shared by all departments and populated to potentially include email addressed for all property owners in the City. This would accomplish the goal of providing timely and relevant information directly to each resident or business that would be affected by an issue in their neighborhood. Meetings are just beginning now with our vendor and costs to integrate a shared email database in our existing system are unknown at this time, however, any costs may be absorbed by the vendor as this enhancement could be shared with all other users of their system. More information will be shared as this initiative develops. The long range planning forum provided a venue to highlight this opportunity to further enhance the City's communication efforts.