

(Reference: Cover memo and draft ordinance amendments, prepared by James Breuckman, dated October 27, 2011 had been placed on file and by reference became part of the record thereof.)

Mr. Breuckman stated that since the amendments were fairly completed, when the Commissioners were in agreement with the language, Staff would schedule the Public Hearing. He noted the supplementary language in the cover memo about the barrier-free spaces and the B-5 district setback analysis, which he felt would require the most discussion. He discussed the ADA and national standards for increasing barrier-free spaces, how that was calculated and the percentages used. He pointed out a graph which showed the ADA requirements and the City's proposed new requirements and explained them in more detail.

Ms. Brnabic recalled that several Commissioners had requested that the Ordinance be amended to require access aisles on both the driver and passenger sides of each parking space in addition to increasing the number of handicap accessible spaces. From Mr. Breuckman's calculations, parking was only added for van accessible spaces, however, the Commissioners were looking for regular accessible parking spaces versus van spaces. She referred to Table 14 in the amendment, and said that they would not reach an extra space until the number of spaces provided was high. For example, from 76 to 100 spaces, there would not be a space added until 88 parking spots were required. From 101 to 150, they would not get an extra space until they were up to 136. She read from the current ADA chart that said that if 151-200 spaces were required, they would get one plus five accessible spaces. Mr. Breuckman had proposed two plus 3.33%, but the extra accessible space would not happen until there were 166 spaces. Mr. Breuckman clarified that in the current chart, it was not five plus one, it was five, and one of those had to be a van accessible space. Ms. Brnabic clarified that with one plus five, it would be one van accessible and five regular accessible. Mr. Breuckman disagreed, and said that it meant five total barrier-free spaces, one of which had to be a van accessible space. That was the current requirement and national standard. Mr. Breuckman referred to the graph in the packet and assured that they would get to five spaces faster under the new line than under the current standards. They would get to four spaces, then there was a little overlap, and once they got past 105, the City would always require more than the ANSI standard.

Ms. Brnabic asked if the City was requiring four plus 2.33%, whether it meant four van spaces or four plus 2.33% regular spaces. Mr. Breuckman said it was for total accessible spaces, and that van space

was a separate thing. Ms. Brnabic said that even with the new percentages, it would take a while to reach an extra space, particularly notable at 76-100, because there would be 88 spaces required to gain an extra space. It seemed slow going to gain a space. Between 101 and 150, it would require 136 spaces to gain an extra accessible space. Mr. Breuckman said that between 105 and 136 there would be an extra space. From 136 to 150 there would be two extra spaces over the current standard. That would continue to increase up to about 500.

Ms. Brnabic recalled that she had strongly urged that the Ordinance be amended to require access aisles on both sides of a vehicle for a variety of reasons, but she did not see that in the new Ordinance. She did not feel it would be a hardship for sites that had a lot of parking. She thought that if it would cause a hardship for smaller sites that the Planning Commission could approve a site conditionally.

Mr. Breuckman said that if there was a five-foot access aisle on both sides of every accessible parking space, they would be increasing the area needed by 25%. His concern was that it would be a design hardship in smaller parking lots. When they started to acquire more accessible parking spaces, in effect there would be more spaces that had access on both sides. Without requiring it, they would get a few more in larger parking lots where there was access on both sides. He understood the issue, but he was not comfortable requiring the five foot access aisle on both sides of the space. The problem was that when there was a standard handicap space, it was eight feet wide. It was already two feet narrower than a regular space. The access was on the driver side. If a car was centered in a handicap space, there would be an extra foot already on either side. He suggested a middle ground where they required, under certain conditions, that the handicap accessible parking spaces be ten feet. The driver could hug the side of the parking space and there would be two extra feet built into the passenger side.

Ms. Brnabic said that she assumed five feet was the standard aisle width. She would not object to four feet, but she did not think people should have to hug the line to get more space on one side. She had an Impala which was six feet wide, and when she opened her door, the total space used was ten feet. If someone opened the passenger door in an eight-foot handicap space without an aisle, the door would be into the space next to it. People could not get out of their doors if they used a walker, and it presented a safety issue. If someone used the last handicap space next to a regular space, he or she would not be able to open the door all the way to get out. She maintained that there had to be some type of aisle

next to the handicap space.

Chairperson Boswell referred to the current handicap space size, which was eight feet wide. He asked if there could be an eight-foot space with two-and-a-half aisles on each side. Mr. Breuckman said that would not be ADA compliant because an access aisle had to be at least five feet wide. He said that a normal parking space was ten feet wide. Cars tended to be centered in a space, leaving two feet on each side of a car, meaning there would be four feet between cars. When there was an eight-foot wide handicap space, even if a car was centered, some footage was lost because the space was narrower. He was suggesting making handicap accessible spaces ten feet wide. If a space was on the end, a car could be parked right to the line and there would be four feet inside the space, plus two feet from the space next to it.

Mr. Kaltsounis brought up van accessible spaces and mentioned an issue someone had at his church. Mr. Anzek advised that van assessable spaces were supposed to be next to an eight-foot wide maneuverability area. Mr. Breuckman said that he was just referring to standard accessible spaces not van accessible spaces. Van accessible spaces were supposed to be either eight feet wide, with an eight-foot wide access aisle or 11 feet wide, with a five-foot access aisle.

Ms. Brnabic referred to the pictures she had taken at an IHOP, and said they presented a good example of what she would like to see. She did not think that some of the pictures Mr. Breuckman showed looked like they had five-foot aisles. She talked about larger parking lots, and said that she did not think adding five-foot aisles next to handicap spaces would particularly cause a hardship. She thought it might be a little harder for businesses with smaller lots, and they would have to consider requests on an individual basis. She did not see how adding five feet for an aisle for four or five spaces would be too difficult. The chart from Mr. Breuckman showed that when the number of spaces required was higher and there was ample parking already, a business would only lose three spaces out of 400, for example. If it did cause a hardship, the Commission could deal with it.

Mr. Breuckman said that if there were 400 spaces under the new standards, 13 handicap spaces were required, so that would be 90 feet of additional space required. He said he was curious to hear from the other Commissioners.

Mr. Hetrick asked Ms. Brnabic if her concern was about the number of

spaces or the width. Ms. Brnabic said it was the width and having access on the passenger side. She was also concerned about the number of spaces, noting that Chairperson Boswell had dealt with the lack of spaces more. There were two issues, and she would like to see a few more spaces required, but the passenger side aisle was key for her.

Mr. Hetrick asked if the number of spaces could be consistent with ANSI, but made larger. He questioned whether that would produce a design handicap for a builder. Mr. Breuckman said that if the spaces were made wider, the total amount of space used in the parking lot would probably be fairly equal. Mr. Hetrick asked if it was possible if they could do what Ms. Brnabic was asking, which was to make the spaces bigger, and not necessarily create a design problem by being consistent with ANSI requirements. Mr. Breuckman agreed that could be done.

Mr. Reece said that the only issue he saw was that there were a lot of people with handicaps that were not necessarily wheelchair bound. There were heart condition patients and diabetics. Ms. Brnabic maintained that there were a lot with walkers and wheelchairs. Mr. Reece agreed, but said there were a growing number of people that were not in a wheelchair also. He was not sure if there could be a balance by not going all the way to one side, and he did not think they could sign spaces as wheelchair only. Mr. Anzek did not think they would want to. Ms. Brnabic stated that someone would not need a wheelchair for what she was requesting, noting that just getting out on the passenger side with a walker was difficult. Mr. Reece said he understood that, but he believed that there were a significant amount of people that used handicap stickers for various reasons beyond being in a wheelchair or using a walker. Unfortunately, people thought of someone handicapped and immediately envisioned a wheelchair user, but the numbers were growing significantly because of heart and other issues. If someone had surgery, they could get a temporary handicap sticker. He wanted to make sure they were not going so far in one direction that they ended up overbuilding those spots.

Mr. Breuckman proposed that a ten-foot wide handicap space would give people a lot of extra space. Mr. Reece said that he liked that idea. Mr. Breuckman said that if they did not have striped access on both sides they would still have a minimum of two feet of extra clearance for the door swing.

Ms. Brnabic asked if that meant ten feet with five feet on one side. Mr. Breuckman said that was correct; the five feet had to be there on at least one side of the space. He suggested that they could add that if there was

a barrier-free accessible space that did not abut to the access aisle, the space would have to be at least ten feet wide. Ms. Brnabic wondered if there was a way to have the access next to spaces closer to a front door. Mr. Breuckman had looked at the lot at IHOP and said it had three spaces without the access aisle on both sides. Ms. Brnabic agreed it was that way for spaces farther away from the door. She said she would like to see at least half the spaces with an access aisle on one side so people had an option. If someone did not have a walker, they could use the space that looked wider.

Mr. Yukon referred to Mr. Hetrick's comment regarding using the ANSII standard but widening the spaces. He thought they would be losing spaces by doing that. With the current ANSII requirements, there were fewer spots compared to Mr. Breuckman's proposal. He wondered if they should stay away from the ANSII requirement.

Mr. Breuckmen said it was true there was going to be a higher demand for accessible parking spaces, so there was something to be said for providing more in the City's parking lots. If they started to require additional spaces and required the five-foot access aisles on both sides, the impact would start to accrue. If they were just required to be wider, he did not think it would accomplish what they wanted to accomplish, and they had to make sure they had enough available.

Mr. Yukon noted that Mr. Hetrick had posed the question about staying with the ANSII requirement but making the spaces wider, and Mr. Breuckman had replied that it was doable. Mr. Breuckman said it was absolutely doable, and it would probably take up the same amount of land area because there would be fewer spaces but larger. However, they would not have increased the supply of accessible spaces, and that would be a disservice.

Mr. Breuckman asked if everyone was comfortable requiring the handicap spaces to be ten feet wide when both sides did not abut a striped access aisle. Chairperson Boswell thought it would work, and he was comfortable with it. Mr. Schroeder asked why they needed more spaces. It was his observation that there were spaces that were never used. Chairperson Boswell stated that he had not observed that. Mr. Reece said that health care providers were stating that the number of people getting sicker was increasing significantly. It was obesity, hip replacements, and things like that. Mr. Breuckman commented that his mom was 63 and she had foot surgery. Mr. Reece said they were just beginning to hit the curve which would keep going up. Mr. Kaltsounis

added that at his church, there were 18 handicap spots for 750 parking spots, and people were requesting more.

Mr. Anzek said that all projections were showing people aging and staying in their homes. There was a solid base of assisted living and independent care places where families came and took family members out for an occasion. He said there was an increase in demand for accessible spaces, and he felt it was good they were going to increase the supply. They did not want to create parking that would not be used. They could go slowly and monitor it, and they might have to tweak things as they went along.

Mr. Breuckman indicated that the rest of the amendments were fairly straight-forward. The only one he wanted to spend more time talking about was the B-5 district setback requirements. He referred to the drive-thru requirements where the redundancy was eliminated, and there was now one standard. There was an amendment to parking space requirements to allow employee spaces to be single-striped and double-striped for customers or high turnover spaces. There was an amendment to allow the Commission to approve alternate parking lot surfacing, such as non-asphalt surfacing. There were miscellaneous corrections in the manufactured housing district standards. He asked if anyone had comments about those sections.

Mr. Schroeder mentioned alternate parking lot surfacing, and said that it was fairly loose about drainage. Someone could dump all the drainage into a roadway or down a driveway. He suggested it should say that someone had to meet basic engineering standard for that, so it did not run down a driveway. Mr. Breuckman said it would be subject to the City's engineering standards. Mr. Yukon read that it said, "Review and approval by the Drain Commissioner." Mr. Schroeder advised that the Drain Commissioner only had control over County drains, not control over the roads or private or City drains, and he thought that should be restated.

Mr. Breuckman explained that the second paragraph referred to off-street parking areas, which meant all off-street parking areas, regardless of surfacing. It was his understanding that all off-street lots, regardless of which surfacing option was used, would have to meet the City Engineer's approval. He suggested that to clarify, it could say that all parking lots shall meet specifications approved by the City Engineer. Mr. Schroeder agreed that would be better.

Mr. Hooper noted that it said, "brick pavers or an equivalent material," and

he asked if it was pervious pavement they were now encountering. Mr. Breuckman said he did not have anything particular in mind. Mr. Hooper mentioned that his company was doing a project in Kentucky, and it was all parking block mats set down on a permeable base and there were no catch basins in the lot. It drained in between the bases and people parked there. Mr. Breuckman said that was why "or equivalent material" was added - to give the City more flexibility to be more responsive.

Mr. Anzek recalled that in Florida, where he worked previously, they would try to drive the water into the ground rather than chase it into a canal. In Michigan, they were trying to get more water infiltration rather than doing collection and distribution into the river system. They were trying to keep more onsite to go into the ground. The City was talking about changes to the detention basins to allow water infiltration instead of water storage and disposal. They would probably be seeing more impervious parking lots, especially in support of the park system, where there was less parking. He noted that almost all churches in Florida had grass parking lots. Mr. Schroeder suggested removing the reference to the Drain Commissioner.

Mr. Breuckman brought up B-5 district setbacks. He had proposed setbacks of 25, 0, 50 and 50 feet. There would be 25 for the front, 0 for one side yard setback with a total of 50, and a rear yard setback of 50 feet. The rear yard setback could be reduced to 10 feet when it abutted a non-residential district. That was the same as all the other commercial zoning districts. That would get back to the standards that were in place when a lot of the gas stations were first approved. The 50-foot total side yard setback was still quite a bit higher than 0, which was the total side yard setback requirement before 1977. They could allow the design option on the existing B-5 sites that would put the building closer to the street and the canopy further back. It would be more useful on some corner sites. Currently, on a corner site, there were almost always four curb cuts, two of which were very close to the corner. One of the benefits of moving the building forward was that they could close two of the curb cuts and move the primary curb cut back further from the intersection, allowing a nice circulation pattern on site.

Mr. Kaltsounis asked if that would be a takings situation, similar to the Sunoco at Crooks and South Boulevard. Mr. Anzek said that they were finding many gas stations more than willing to go to two driveways. He recalled a recent rebuild on Auburn in Brooklands, where there was a convenience store and gas station added, and they had eliminated two driveways. Mr. Schroeder advised that MDOT and the Road

Commission did not allow four any longer. Mr. Breuckman said the option could be allowed if a gas station abutted two non-residential parcels. They could do the same concept for existing B-5 sites. He asked if they wanted to require a 50-foot total side yard setback. It seemed a little high to him, but it was consistent with the other commercial zoning districts. It could go to 30 feet or 15 on each side, which would provide a little additional flexibility. He wondered if the City should even allow it as a redevelopment option for B-5 sites.

Chairperson Boswell did not think anyone was opposed to it. Mr. Schroeder thought that it was better for onsite traffic. Mr. Hooper's concern was residential property. Mr. Breuckmen said it would not be allowed if it was next to residential property. He noted the southwest corner of Hamlin and Rochester Road. Walgreen had a parking lot that was 60 feet wide with residential zoning to the west. A canopy would impact the neighborhood, so in that instance, they might want to have the setback at least 150 from the residential district. Mr. Kaltsounis asked if they should add standards for buffering. Mr. Anzek said that could be good vertically rather than width-wise. If they created a 25-foot buffer, they would still have large setbacks. The layout they proposed gave an opportunity for pedestrians to go to the convenience store, and it would serve as an incentive for people to redevelop those stations. They also might get additional pumps. Mr. Schroeder recommended taking out the example showing driveways close to an intersection.

Mr. Breuckman asked the Commissioners if they wanted to see the revised language before the Public Hearing was held, which they favored. Chairperson Boswell asked about the side yard setbacks. Mr. Hetrick said they were o.k. to him. He had reviewed the documents, and with the minimum yard setbacks suggested, he could only find three out of the entire list that would be non-conforming. Mr. Anzek added that they would have to exempt the canopy, but they were exempt now from front yard setbacks.

Discussed

ANY OTHER BUSINESS

Mr. Anzek informed the Planning Commission that he had asked Chairperson Boswell to come to City Hall to sign a letter on behalf of the Commissioners regarding a traffic enhancement grant for aesthetic improvements to the Avon and Livernois bridges. Mr. Schroeder asked if they needed an official motion agreeing to it, but Mr. Anzek did not feel it