

CITY OF NORTHVILLE  
Planning Commission  
September 16, 2014  
Northville City Hall – City Council Chambers

**1. CALL TO ORDER:**

Chair Wendt called the meeting to order at 7:30 p.m.

**2. ROLL CALL:**

Present: Steve Kirk  
Dave Mielock  
Matthew Mowers  
Anne Smith  
Jeff Snyder  
Jay Wendt

Absent: Carol Maise - excused  
Marc Russell - excused

Also present: James Allen, Mayor Pro Tem  
Craig Strong, Building Official  
Patrick Sullivan, City Manager  
Lori M. Ward, DDA Director  
Don Wortman, Planning Consultant

**3. MINUTES OF PREVIOUS MEETING: August 19, 2014**

**Motion Kirk, support by Snyder,** to approve the August 19, 2014 minutes as published.  
**Motion carried unanimously.**

**4. AUDIENCE COMMENTS:** None

**5. REPORTS:**

**A. CITY ADMINISTRATION:**

City Manager Sullivan introduced Craig Strong, the City's new part-time Building Official. City Manager Sullivan said that last night the City Council had approved a contract with Carlisle Wortman Associates, Inc., 605 S Main Street, Ste. 1, Ann Arbor, MI to engage a division of that company – Code Enforcement Services – to administer the City's Building Department. City Manager Sullivan said that when the City of Northville had contracted with the City of Plymouth in 2010 to share Building Department personnel, Northville's building activity had been at recession levels. However, building activity was now close to pre-recession levels. Concurrent with this significant rise in activity, the City needed increased emphasis and improved processes for dealing with building site management – things that occurred outside the building envelope, including attention to the tree ordinance, soil erosion, grading and drainage, and Historic District Compliance. The contract with Carlisle Wortman provided Mr. Strong, who had extensive background in this type of work, and who would be in City Hall three half days per week; a

separate building inspector would be working in the field. Building Official Strong would be charged with reviewing processes and suggesting new procedures in the areas just mentioned.

**B. CITY COUNCIL:**

In response to a question from Chair Wendt, Mayor Pro Tem Allen reported that the vacancy on the Planning Commission had yet to be filled.

**C. PLANNING COMMISSION:** None

**D. OTHER COMMUNITY/GOVERNMENTAL LIAISONS:** None

**6. PUBLIC HEARINGS**

**Cady Street Overlay**

Planning Consultant Wortman gave the background and process for tonight's meeting and for the proposed Cady Street Overlay (CSO) Zoning District. He explained that the Planning Commission had been working on this draft ordinance for some time and now it was time for a public hearing. Neighbors directly affected by this proposed zoning district were notified of tonight's meeting by mail. All interested parties would have an opportunity to comment. After hearing public comment, the Planning Commission was charged with making a recommendation to City Council, who had ultimate authority to act on this proposal.

Utilizing the overhead projector, Planning Consultant Wortman reviewed the boundaries of the proposed CSO District. The intent of the CSO District was to anticipate new development along Cady Street. He noted that Cady Street and Cady Town were unique areas on the southern edge of the Central Business District (CBD). Because properties abutting Cady Street might be in transition, either for sale or being considered for sale, now was a critical time to consider appropriate zoning for the area; current RTD (Race Track District) and PR-I (Performance Regulated Industrial District) Zoning was no longer realistic.

Development of the draft CSO District was accomplished in coordination with the City's new draft Master Plan (currently out for distribution to surrounding communities and soon to be discussed at its own public hearing), and also in coordination with the findings of the Joint Committee, appointed by the City Council last fall.

Planning Consultant Wortman explained what an overlay zoning district was. The principal uses of the underlying district would be permitted by right; an overlay district "overlaid" the underlying district with additional regulations and permitted uses. Nonconformities would not be created or result from the overlay district. All existing uses would be allowed to continue; additional uses would also be permitted.

Planning Consultant Wortman said that the Planning Commission and the Joint Committee intended that the CSO District allow for a mixed-use transition zone between the downtown core and residential uses to the south. Included in that mixed use were first floor multiple-family dwelling units including apartments, townhouses, rowhouses and live/work units.

Regarding density, the draft Master Plan for this overlay area anticipated 10-25 residential units per acre. The eastern portion of the CSO was designated by the Master Plan for creative mixed use, including residential.

Planning Consultant Wortman said that the Planning Commission had spent significant time discussing building height. Areas closer to Main and Center, and to the taller buildings within the existing central core of the downtown would be allowed greater heights. Heights would lower as distances increased from the core downtown area. Utilizing a color-coded building height overlay schematic entitled “Figure 6. Building Height Overlay,” Planning Consultant Wortman pointed out areas that would be permitted 3 stories, 4 stories, or 4 stories but also eligible for a bonus floor at 5 stories or 65 feet. The height bonus eligibility would be determined by whether a project provided 3 or more enhancements out of 7 possible enhancements as listed in Section 10.06.f of the draft ordinance.

Regarding proposed setbacks, Planning Consultant Wortman said that buildings within the proposed CSO District would maintain a minimum setback of zero feet and maximum setback of ten feet from the right of way or the dedicated easement on Cady Street. Currently Cady Street had a 50-foot right of way, but a 60-foot right of way and/or easement was desirable. This was illustrated in a schematic labeled “Figure 8. Cady Street Right-of-Way Cross-Section.” Side yard setbacks would be zero feet; rear yard setbacks would be 20 feet. However, the Planning Commission could waive the rear yard setbacks.

Regarding proposed parking, all projects would require on-site parking. Properties on the south side of Cady Street would not be eligible for cash in lieu of parking. Standards in the proposed ordinance spoke to shared driveways/collective parking, which worked to minimize curb cuts and maximize off-street parking. Parking lot screening and buffering standards were also included.

Planning Consultant Wortman said that the proposed CSO District included new design standards, including streetscape requirements, seating areas, street trees, architectural variation and details, sheltering elements, and a “step back” requirement for the upper floors of taller buildings.

Planning Consultant Wortman noted that the Mayor had appointed a committee to look at the design standards; the DDA also was interested in having input at this stage of the process. One concern that had been brought forward was that existing buildings along Cady Street, including the Main Centre building, the Cady Center and the New Victorian already had first floor offices. If these were converted to first floor residential, having the sidewalks so close to the residential component could be problematic. One option was to create another ordinance standard that would prohibit first floor residential for the areas highlighted in purple on “Figure 6. Building Height Overlay.” Another option would be to require a 10-foot setback for first floor residential. This would allow room for landscaping and/or building elements such as stairs, etc., thus providing separation between the sidewalk and the first floor residences.

Chair Wendt recognized DDA Director Lori Ward. Ms. Ward said that City Manager Sullivan had presented an overview of the proposed CSO District at the DDA’s August meeting. Subsequently the Mayor appointed a subcommittee to look at some of the specifics and standards of this proposal. The DDA had met this morning and further discussed the proposed CSO District.

DDA Director Ward said that two DDA concerns were 1) the financial impact to the downtown district of the proposed district, and 2) the aesthetic and functional impact of the first floor residential component.

Regarding the financial impact of the first floor residential component, DDA Director Ward said that they had discovered this was actually not an issue, as residential values were normally higher than commercial values. However, the aesthetic impact of first floor residential on already built out properties was a concern. The DDA Board felt that first floor residential on such sites would limit downtown vitality, and their recommendation was to exclude existing structures from the first floor residential permitted use.

They did feel first floor residential was a great idea for the proposed district as a whole, excluding certain properties as already mentioned.

The DDA also recommended that the northern portion of the proposed CSO District stop at the west side of Church Street.

DDA Director Ward continued that the DDA was pleased with the parking requirements of the proposed ordinance. By eliminating cash in lieu of parking, and requiring on site parking, pressure on existing parking could be minimized.

Chair Wendt opened the public hearing.

Mike Carlo, 301 South Center, spoke on behalf of the Northville Downs. He asked how the CSO District would affect property tax rates. Planning Consultant Wortman thought that taxes would not be affected, that permitting additional uses would add value, but the properties were taxed at the current rate. However, the question should be put to the City Assessor for a definitive answer.

Michelle Aniol, 402 Yerkes Avenue, Northville, spoke to several issues:

- 1) Regarding the suggested prohibition of first floor residential for existing buildings, if a proposal did come in that desired first floor residential for an existing building, would there be any flexibility to consider this?
- 2) Regarding the alley enhancements listed as a possible enhancement in section f., did the City anticipate that alleys might be part of future development? There were no alleys presently in this area.
- 3) Regarding section o., Stormwater Management, “on-site retention” was specifically listed. However, retention was a wet basin. Why not include “detention,” which would include an outlet for a slow release of water? Requiring on-site retention could render a small parcel undevelopable. Requiring developers to be solely responsible for storm water management would also hinder development. Was there a way for the City to be proactive and help with storm water management?

Responding to Ms. Aniol’s comments, Planning Consultant Wortman said that while the City was not actively anticipating or mandating alleys, developments could include alleys and there was a need to provide appropriate design standards should this occur. Regarding storm water management, all development would have to comply with Wayne County standards. However, he would look at the precise wording within this paragraph regarding retention and detention. Mr. Wortman acknowledged Ms. Aniol’s question regarding flexibility for first floor residential for existing buildings; he was not sure how this could be accomplished should the proposed ordinance prohibit that use for those buildings.

Chair Wendt initiated a brief discussion regarding flood plains in the proposed CSO District. Planning Consultant Wortman said that the very southeast portion of the proposed District might be so affected.

W. J. Sheehy, 201 South Center Street, Northville, MI., asked if there were any current proposals for developing the south side of Cady Street along Center Street. Chair Wendt said there were no current proposals.

Charles Lapham, 18412 Blue Heron Drive, Northville, MI, spoke on behalf of the First Presbyterian Church. He asked that going forward the Church have a “seat at the table.” The Church was in a growth pattern and would eventually require more parking.

Linda Heaton, 719 West Main, spoke on behalf the New Victorian building. She spoke to the long-term implications of residential use surrounding her property. She also wanted to retain the option for first floor residential for existing buildings with appropriate modifications and design standards imposed.

DDA Member Greg Presley, 317 West Dunlap, Northville, MI, gave a more detailed justification for leaving the northern portion of Cady Street west of Church Street out of the proposed overlay district. Mr. Presley pointed out that lots 45-48 on “Figure 5. Cady Street Overlay District Boundary” were the city parking deck, and lots 49-51 were private properties that faced Mary Alexander Court, with lots 50-51 being a private lot. The DDA’s suggestion was to not encourage residential development on those properties, thus preserving the opportunity for a possible future expansion of the parking deck. Also, Hutton Street should be shown on the boundary map. Just east of Hutton Street was the Presbyterian Church, which Mr. Presley suggested had no reason to be included in the proposed overlay district.

Seeing that there were no further public comments, Chair Wendt closed the public hearing and brought the matter back to the Commission.

Planning Consultant Wortman said that based on tonight’s comments, including the DDA’s suggested modifications to the boundary map and other public comments presented, perhaps the draft ordinance should be revised one more time, be reviewed again by the Planning Commission, before a recommendation to the City Council was made.

Discussion followed. Commissioner Snyder said that he remained concerned about having two sides of the same street with different standards. Travelers on Cady Street could be met with one side of the street being completely different than the other.

Planning Consultant Wortman said that he thought the CSO District could be crafted so that the design standards including streetscape elements, lighting, landscaping and setbacks were consistent and the areas – north and south of Cady Street – could be balanced so that the result would be cohesive and attractive, whether or not all of the northern portion of Cady Street was actually included in the CSO District.

Commissioner Mielock agreed with Commissioner Snyder regarding the importance of design consistency in this area. He suggested “meeting in the middle,” i.e., keeping the north side of Cady Street in the proposed CSO District, but perhaps applying different design standards north and south. Certain uses could be backed out of the north side, but the look, consistency and massing of the north side should be consistent with what was on the south.

Commissioner Mowers also agreed with Commissioner Snyder. By leaving part of the north side of Cady Street out of the proposed district, a potential would exist, for instance, for increasing the height of the parking deck right across from the area targeted for bonus height within the proposed CSO District. This would be a negative outcome of having separate zoning districts across the street from each other.

Planning Consultant Wortman said one idea would be to divide the proposed district into CSO A and CSO B Districts, with shared design standards but slightly different uses and height standards.

Responding to a question from Chair Wendt, Ruth Calacci, 300 Cady Street, spoke to having her view disrupted by another tall building across the street. She also pointed out parking difficulties when events were hosted downtown. Participants were walking from Northville Road to participate in the past weekend’s Victorian Festival. Would public parking be part of the development on the south side of Cady Street?

Dennis Enjerer, part owner of the New Victorian and the Village Workshop, was pleased with the discussion and with the general plan for the proposed CSO District, which would bring this area into the Central Business District.

Mayor Pro Tem Allen addressed the discussion thus far, and emphasized the importance of having a cohesive streetscape throughout this area.

In response to a question from DDA Member Presley, Planning Consultant Wortman said that the proposed straightening of Cady Street was in the draft Master Plan. The proposed CSO District had to address things as they were.

Chair Wendt thanked the public for their comments. Based on tonight's discussion, no action would be taken this evening. Planning Consultant Wortman would produce another revision of the proposed CSO District and bring that back to the Commission for further consideration.

Planning Consultant Wortman noted that if the boundaries were changed as discussed this evening, another public hearing would not be necessary, as the changes would effectively make the proposed CSO area smaller.

Chair Wendt closed the discussion.

### **Internally Lit Signs**

Planning Consultant Wortman gave the background for proposed changes to Section 21.01 Sign Regulations. These changes related to LED Signs. Recently the First Presbyterian Church had requested an LED sign; this request had been heard by the Board of Zoning Appeals who then determined that an LED sign was not internally illuminated. As a result of this BZA determination, it was felt that clarification of the sign ordinance was needed. The proposed text amendment would clarify that LED signs were internally illuminated and would be prohibited in the Historic District. Additionally, the proposed text amendment included a prohibition in the Historic District of LCD signs, electronic message boards, changeable copy signs, digital message centers, etc. However, the signs on the Marquee Theater, being historically consistent, were allowed.

Planning Consultant Wortman explained that after the Public Hearing, a recommendation to the City Council was requested.

Chair Wendt opened the public hearing.

Daniel DeLaby, PE Consulting LLC, 45831 Sheffield Drive, Novi MI 48374, and representing the First Presbyterian Church, asked if the proposed text amendment would be retroactive. Planning Consultant Wortman said it would not be retroactive and the Presbyterian Church would not be affected, although it was critical that the Church get their paperwork in soon.

As there were no further comments, Chair Wendt closed the public hearing.

**MOTION Mielock, support by Mowers**, to recommend to City Council approval of the revisions to Section 21.01 Sign Regulations of the Sign Ordinance as presented this evening.

A roll call vote was taken as follows:

**Snyder:**        **yes**  
**Mielock:**       **yes**  
**Wendt:**         **yes**  
**Smith:**         **yes**  
**Kirk:**           **yes**  
**Mowers:**       **yes**

Therefore the motion **carried unanimously**.

**Discussion:**

Regarding the proposed Cady Street Overlay District, specifically the diagram on page 10-14 labeled “Figure 6. Building Height Overlay,” Commissioner Kirk wondered if the section color coded blue (3 Stories – 36 feet) should extend to lots 75 and 76. These lots were currently color-coded pink (4 Stories – 48 feet). Commissioner Kirk’s concern was that a visual wall might be created for those people coming down Church Street.

Planning Consultant Wortman said he would take a look at the corner standards and the proposed building east of the New Victorian, and report at the next Planning Commission meeting regarding this concern.

Commissioner Mowers asked about the proposed locations for those buildings that might be eligible for a bonus 5<sup>th</sup> floor. Planning Consultant Wortman said that they had tried to avoid very tall buildings at corners. Also the consensus was to keep the taller buildings close to Main and Center and also closer to the Masonic Lodge and other taller buildings downtown.

Commissioner Mowers requested a discussion regarding whether the north side of Cady should include some taller building limits. Planning Consultant Wortman said that as presently constituted, the north side of Cady west of Church Street already permitted a 48-foot height (4 stories). The two main changes for that area would be the zero setbacks and the first floor residential use.

**7.        ADJOURNMENT**

Seeing that there was no further discussion, Chair Wendt requested a motion to adjourn.

**Motion Mielock, support by Snyder,** that the Planning Commission meeting adjourn at 8:31 p.m. **Motion carried unanimously.**

Respectfully submitted,  
Cheryl McGuire  
Recording Secretary

Approved as amended 10/07/2014