

CITY OF NORTHVILLE
Planning Commission
January 19, 2016
Northville City Hall – Lower Level, Meeting Room A

1. CALL TO ORDER:

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

2. ROLL CALL:

Present: Steve Kirk
Carol Maise
Dave Mielock
Christopher Miller
Matthew Mowers (7:37 pm)
Mark Russell
Jeff Snyder
Jay Wendt

Absent: Anne Smith (unexcused)

Also present: Sally Elmiger, Planning Consultant

The following officials joined the meeting at approximately 8:20 p.m.:
Ken Roth, Mayor
Jim Allen, Mayor Pro Tem
Nancy Darga, City Council Member
Patrick Sullivan, City Manager
Lori Ward, Downtown Development Authority Director

3. APPROVAL OF AGENDA:

The agenda was approved by consensus.

4. MINUTES OF PREVIOUS MEETING: December 15, 2015

Motion by Kirk, support Mielock, to approve the December 15, 2015 meeting minutes as published.

Motion carried unanimously.

5. AUDIENCE COMMENTS:

Marcia Greiner, Novi Street, Northville, MI said that she had lived in Northville for 42 years. She loved Northville, but it was going to be difficult for her to downsize and live in affordable senior housing within the City of Northville. She was wondering if there were any plans for senior lofts, etc., in the downtown area, allowing seniors to retire and be part of a walkable Northville community. She had been to Allen Terrace but would like some options. She noted that Allen Terrace was on a hill; this would not always be comfortable to climb.

Ms. Greiner said that the key word for her was *affordable*. For instance, the new condos planned at the Corner House started at \$550,000. She wanted to stay in downtown Northville, but right now there were not many options that would allow them to do so. She felt this was a real need for others also.

Chair Wendt and the Commission acknowledged the need for empty nesters to live downtown after they sold their homes. The Master Plan did address this need; it was a matter of matching developers with the right type of project.

Ms. Greiner was advised by the Commission to check agendas and minutes as they were posted online for upcoming projects in the City. She could also communicate with Marilyn Price or other Council Members regarding this situation.

6. REPORTS:

A. CITY ADMINISTRATION: None.

B. CITY COUNCIL: None.

C. PLANNING COMMISSION:

Board of Zoning Appeals Process regarding Findings of Fact

Commissioner Mowers said that he had attended the last BZA (Board of Zoning Appeals) meeting and had concerns regarding whether or not protocol was being followed regarding consistent application and discussion of findings of fact, especially the finding related to practical difficulty. He had also raised this matter with the City Council this evening, as the Council was currently looking at standards for sitting on Boards and Commissions. The Planning Commission had put the five findings of fact criteria in place, and City Council had approved these. Commissioner Mower felt it was important for the BZA to follow the provided training and application of the findings of fact in a consistent and justifiable way.

After a short round table discussion regarding this matter, Chair Wendt said he would talk with City Manager Sullivan (not yet present) regarding these concerns, and also regarding the option of having the Planning Consultant provide a technical letter regarding BZA cases. Also, process should be reviewed regarding when a petitioner had to appear before the Planning Commission before going to the BZA. Last, minutes among Boards and Commissions could be shared, and in the event that minutes were not approved until months later, as in the case of the BZA when meetings were spaced far apart, perhaps draft minutes could be shared. Draft minutes were available in the City Clerk's office 8 business days after a meeting, though these had to be requested as they were not formally published.

Foundry Flask Area

Chair Wendt addressed the issue of a portion of the Foundry Flask area being in the Historic District, and a portion located outside the District. Was there a way to change this, so that all the property was either in or out of the Historic District?

A roundtable discussion followed. Planning Consultant Elmiger reported on HDC discussions regarding this property. The State Historic Preservation Office (SHPO) confirmed that only the portion in the Historic District fell under the HDC's jurisdiction. The HDC had already sought for a boundary change, a

process that was reasonably complex, but doable. A memo had been presented to City Council, who had not acted on a formal request by the HDC to try to bring the entire property into the District. A PUD (Planned Unit Development) would probably be the way to go, though a developer would need to request this. The HDC and the Planning Commission would have to work together on a PUD approval regarding the Foundry Flask building and area. The front portion of the building probably had historic value; the site itself was contaminated and much of the building was being demolished by neglect.

Chair Wendt wondered if the City should act soon, via the HDC, to bring the whole property into the Historic District. Commissioner Mielock thought a developer would most likely make the case the building had no historic significance and ask to demolish it. A demolition request would most likely trigger a public hearing before the HDC. Commissioner Snyder said the façade was restorable and the building was salvageable.

Chair Wendt said he would talk to City Manager Sullivan regarding expanding the Historic District to cover the whole property, and share with him some of the concerns discussed this evening. General characteristics of a current senior housing proposal were discussed. That project would come before the Planning Commission before it went to the HDC.

D. OTHER COMMUNITY/GOVERNMENTAL LIAISONS: None

7. PUBLIC HEARINGS

Arbors, Trellises and Pergolas

Planning Consultant Elmiger gave the background for this agenda item, referencing the 12-16-15 Draft document *AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NORTHVILLE TO DEFINE ARBORS, PERGOLAS AND TRELISES AS ACCESSORY STRUCTURES, AND TO PERMIT THEM WITHIN A CERTAIN SIZE IN THE FRONT YARD SETBACK OF A LOT.*

Planning Consultant Elmiger explained that the proposed ordinance language was modified slightly based on comments from City Council, who requested that the term *required front yard* be used consistently throughout the ordinance. The new language was on pages 4 and 5, in blue. Additionally, two new illustrations were added showing required and non-required lots.

Chair Wendt opened the public hearing at 8:20 pm. As no one came forward to speak, Chair Wendt closed the public hearing at 8:21 pm.

MOTION by Russell, support Mowers, to recommend approval to City Council for Text Amendment modifications for Sections 26.02 and 18.04 as presented.

Chair Wendt asked for a roll call vote.

Kirk	yes
Maise	yes
Mielock	yes
Miller	yes
Mowers	yes
Russell	yes

Snyder **yes**
Wendt **yes**

Therefore, the motion carried unanimously.

Building Heights

Planning Consultant Elmiger gave the background for this agenda item, referencing the 12/16/15 draft document *AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NORTHVILLE TO MODIFY BUILDING HEIGHTS IN THE R-1A AND R-1B, FIRST DENSITY RESIDENTIAL DISTRICTS, AND MODIFY LANGUAGE REGARDING HEIGHT OF FOUNDATION WALLS, FINISHED FLOOR ELEVATIONS, BUILDING GRADES, AND DEFINITIONS OF BASEMENT, BUILDING HEIGHT, GRADE, EXISTING GRADE, FINISHED GRADE, GRADE PLANE, MEZZANINE, AND STORY.*

Planning Consultant Elmiger explained that the proposed ordinance changes were intended to help residential homes better fit into an existing neighborhood. The proposed ordinance changes would limit heights of residential buildings based on the size of the lot. Larger lots allowed taller buildings, smaller lots shorter buildings. The proposed ordinance changes clarified that the highest portion of the first floor could be no higher than 36” above the average grade plane. The first floor elevation had to be consistent with the first floor elevation of contiguous residences. The proposed ordinance changes also required that a certificate of grading be provided to the Building Official. Illustrations had been added to show how stories and basements were determined ~~including~~ on a sloped lot.

Chair Wendt opened the public hearing at 8:23 pm. As no one came forward to speak, Chair Wendt closed the public hearing at 8:24 pm.

MOTION by Maise, support Mielock, to recommend approval to City Council for Text Amendment modifications regarding building heights as presented.

Kirk **yes**
Maise **yes**
Mielock **yes**
Miller **yes**
Mowers **yes**
Russell **yes**
Snyder **yes**
Wendt **yes**

Therefore, the motion carried unanimously.

8. DISCUSSION

Follow-up from December, 2015 Planning Commission meeting

Planning Consultant Elmiger explained that at the December meeting she had been asked to follow up on three items:

1. *Confirm with the Assessor that they did not use the zoning ordinances to define stories, floor spaces, etc., but had their own rules and definitions.* The Assessor did not use the zoning ordinance to define these things – she used other government-approved definitions.

Commissioner Kirk pointed out that having two different definitions used by different City departments could be confusing for home buyers and builders, though there seemed to be no solution to this challenge.

2. *Communicate with the Chief Building Inspector regarding the proposed language in Section 18.21.3 as to when a certified copy of a grading plan must be submitted by a registered civil engineer or land surveyor.* A certified grading plan was required when a building permit was requested, and at the end of the project to certify final grades.
3. *Conflicting provisions in the Ordinance regarding driveways should be addressed and perhaps modified.* This concern was specific to residential driveways. After reviewing the zoning ordinance and comparing requirements with the City’s Design Standards, Planning Consultant Elmiger had developed draft language for changes to the zoning ordinance, in order to be more consistent with the Standards, otherwise known as *the City of Northville Manual of Uniform Criteria and Design Standards* (1999). This draft language had been distributed to the Commission as *Residential Driveways – Draft Zoning Text Amendments*, dated January 13, 2016.

Planning Consultant Elmiger further explained that the only inconsistency was the definition of driveway (Section 26.02). The zoning ordinance defined a driveway as serving residences, but the Uniform Code defined a driveway as serving any property. Planning Consultant Elmiger had made some slight adjustments to the ordinance’s definition of driveway to bring the two documents into conformity with each other. A driveway that was more than 100 feet would be defined as a private road.

Planning Consultant Elmiger also offered some clarifying changes to Section 18.18, which addressed private roads, common driveways (two or more residential properties), and residential driveways. Changes included additions to the regulations for residential driveways that access one residential parcel, so that these were required to conform to the City of Northville Manual of Uniform Criteria and Designs Standards for construction for private driveways. Also, residential driveways were not to be used to park vehicles in any required front yard, between the curb line and property line, or across a public sidewalk. These requirements were mirrored in Section 17.01.

Chair Wendt asked if these regulations pertained to condominium developments. Planning Consultant Elmiger said that condominium development access would most likely be a private road.

In response to a comment from Commissioner Kirk, Planning Consultant Elmiger said that there were driveways that were longer than 100 feet. The Uniform Code did give the DPW Director flexibility in applying the requirements. The Director had the ability to define a longer driveway as a driveway, and not a private road. This flexibility was called out on page 7 of the Uniform Code manual.

Commissioner Maise asked about Section 17.01.10 *Front Yard Parking, Residential District*, which prohibited parking in the required front yard in any residential district or between the curb line and property line any district except for certain arrangements in the R-3 and R-4 residential districts. While this Section allowed parking in driveways, the prohibition against parking in a required front yard was commonly ignored.

Planning Consultant Elmiger also pointed out that circular drives were often in the required front yard and were commonly used for parking.

Commissioner Mowers said that this topic had first come up because of some unique parking situations in the city, including parking on the grass near Northville Lumber, a homeowner that constructed a brick paver patio in their front yard and used it for parking, and the proliferation of parking pads. Would the draft language address these issues?

Commissioner Maise addressed the idea that driveways were meant – partially – to accommodate people who wanted to park in their front yards. Guests also used driveways. Did the City really want this kind of prohibition included in the ordinance? Who would enforce this regulation?

Commissioner Mowers said that parking pads and front lawn parking should be addressed.

City Manager Sullivan thought there was also inconsistent language in the ordinance regarding driveway width. Discussion followed regarding various driveway configurations. The Building Code did address driveway width, requiring a 16-foot width for a single residence and 18-foot width for a driveway shared by two residences. In the case of smaller older lots where driveways had to be replaced, the Building Inspector could approve narrower driveways.

Commissioner Maise wondered if the Northville Manual of Uniform Criteria should be updated.

Commissioner Mowers noted that this topic related to previous Planning Commission discussions regarding a possible requirement for a certain percentage of green space.

Planning Consultant Elmiger confirmed that the consensus of the Commission was to allow circular drives, though they did provide specific challenges in terms of having two curb cuts.

Planning Consultant Elmiger said that she would take ideas from tonight's discussion and return with further draft language.

Implementation of Design Guidelines **Cady Street Overlay – First Floor Parking**

Referring to the January 13, 2016 Carlisle Wortman memorandum regarding *Cady Street Overlay District and Design Guidelines – Implementation Techniques*, Planning Consultant Elmiger led this discussion. She explained that they were asked to research how other communities enforced design guidelines. They had looked at Saline, Milan, Dexter and Chelsea. The results identified two techniques: 1) overlay districts and 2) form based zoning districts. Both techniques could include design guidelines that regulated the form a development took. The main difference between the two techniques was that overlay districts preserved the underlying zoning and the uses within the underlying zoning district(s), while a form-based zoning district was a unique district with its own list of allowed uses, dimensional standards and design guidelines.

Since the City already had the Cady Street Overlay District, Carlisle/Wortman recommended that it be retained and amended to add any desired design standards and guidelines.

Commissioner Mielock said that with so much of the City within the Historic District, the establishment of design guidelines also needed Historic District Commission input. Planning Consultant Elmiger also

thought this would be a good idea. She further explained that in terms of new construction, the HDC seemed to feel that excellent modern design was not out of place in the Historic District. New construction could not copy history but could accent it.

Planning Consultant Elmiger said the design standards currently in the Cady Street Overlay District should be shared with the HDC, who might not even know these standards existed.

Commissioner Russell suggested a joint meeting/workshop/discussion be held with appropriate boards and commissions, along with the DDA, regarding the Master Plan and CSO District, so that planning and development there could be the result of a collaborative, team effort.

Regarding first floor parking in the Cady Street Overlay District, Planning Consultant Elmiger referred to proposed revisions to Section 10.06 *Cady Street Overlay (CSO)* and to the Carlisle/Wortman December 9, 2015 memorandum *Cady Street Overlay District – Parking on the First Floor*. She explained that she was seeking comment regarding the 50% first floor parking allowed for upper residential uses and the proposed 20-foot active use along the front face of the building. She had also included some draft language regarding transparency (glass, etc.) along the street front.

Planning Consultant Elmiger said that if a joint meeting were planned, perhaps this discussion was a little premature. Commissioner Russell said that he thought the Commission should continue to move forward, as the joint meeting was just an idea at this point.

Referring to the diagram on page 2 of the memorandum, Commissioner Mielock suggested that the drawing could be modified to show conditions where the parking could be sub-grade. Cars could be shown up to the property line if the condition was sub-grade. Also, the building setback could be added to the drawing.

Commissioner Russell spoke to the need to have guidelines in place, so that the Commission had the basis to evaluate projects as they came forward.

City Manager Sullivan said that the Downtown Strategic Plan was scheduled to be updated, and that could provide the impetus for a joint meeting. Adopting landscape guidelines was a little more urgent as a current project (Corner House) was waiting on these guidelines. Though their building construction would likely take 18 months, if the Corner House wanted to modify their site/landscape plan, they would have to have time to come back and present that to the Planning Commission.

DDA Director Ward said that the guidelines were close to complete, but still lacked graphics.

Street lighting for the Corner House was discussed, as were lighting standards generally, which should be included in design standards. Commissioner Mielock said that he would like to limit light pollution, specifically in terms of creating a *dark sky community*.

9. ELECTION OF OFFICERS

Vice Chair Mielock said that he would like to relinquish his position to another Commissioner.

MOTION by Kirk, support Snyder, to nominate Jay Wendt as Chair. Motion carried unanimously.

MOTION by Russell, support Maise, to nominate Steve Kirk as Vice Chair. Motion carried unanimously.

10. ADJOURN

As there was no further discussion, Chair Wendt asked for a motion to adjourn.

MOTION Maise, support Mielock, to adjourn the Planning Commission meeting at 9:09 p.m. Motion carried unanimously.

Respectfully submitted,
Cheryl McGuire
Recording Secretary

Approved as amended 2-16-2016.