

CITY OF NORTHVILLE
Planning Commission
March 1, 2016
Northville City Hall – Council Chambers

1. CALL TO ORDER:

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

2. ROLL CALL:

Present: Steve Kirk
Carol Maise
Christopher Miller
Matthew Mowers
Mark Russell
Anne Smith
Jeff Snyder
Jay Wendt

Absent: Dave Mielock (excused)

Also present: Sally Elmiger, Planning Consultant
Patrick Sullivan, City Manager
Ken Roth, Mayor
1 Citizen

3. APPROVAL OF AGENDA:

**Motion by Russell, support Smith, to approve the agenda as published.
Motion carried unanimously.**

4. MINUTES OF PREVIOUS MEETING: None.

5. AUDIENCE COMMENTS: None.

6. REPORTS:

A. CITY ADMINISTRATION: None.

B. CITY COUNCIL: None.

C. PLANNING COMMISSION: None.

D. OTHER COMMUNITY/GOVERNMENTAL LIAISONS: None

**7. PUBLIC HEARING: RE-ZONING R-2, SECOND DENSITY RESIDENTIAL DISTRICT
PARCELS ON GRACE, HUTTON & RAYSON TO R-1B, FIRST DENSITY
RESIDENTIAL DISTRICT**

Commissioner Mowers said he lived in this area and thought this constituted a conflict of interest. He asked to be recused.

Motion by Russell, support by Maise, that Commissioner Mowers be recused from agenda item 7 due to a conflict of interest. Motion carried unanimously.

Commissioner Mowers joined the audience.

Utilizing overhead slides, Planning Consultant Elmiger gave the background for this re-zoning request, from R-2 Second Density Residential District Parcels on Grace, Hutton and Rayson Streets to R-1B, First Density Residential District. This topic came up during the Master Plan Review in 2014. The subject lots had been planned for single-family residential use as far back as the 2000 Master Plan and possibly further back than that.

Planning Consultant Elmiger showed the subject R-2 lots that were currently being considered for re-zoning. The intent of the R-2 District was to provide an area of mixed single and two-family residential dwellings. The intent of the R-1B District was to allow an area for single-family dwellings. The effect of the re-zoning was to eliminate the possibility for new two-family buildings being constructed or a conversion of a single family home into a two family home on the lots.

On the schematic entitled *Existing Land Use*, Planning Consultant Elmiger pointed out that the existing land uses were almost all single-family residential, as shown by the areas in yellow. The orange parcel in the middle of the yellow area south of Rayson Street was a two-family building. Immediately south of the subject properties was another property shown in orange. That property was not being considered for re-zoning; the reason it was included was to show how that parcel interacted with the two-family parcel that was being considered in this re-zoning request.

Planning Consultant Elmiger showed the parking lot connection between the multi-family buildings in the area. South of Rayson was a multi-family development which connected with a home in the subject area on Rayson Street. Vehicles for this development come into the parking lot off of Hutton and exited through the paved area next to the two-family house onto Rayson Street. Planning Consultant Elmiger explained that if the two-family house would be re-zoned, it could continue being a two-family unit; it would not have to convert to single family after the re-zoning. However, the two-family house would not be able to be enlarged in any way after the re-zoning, if the re-zoning were approved.

Planning Consultant Elmiger showed a map of the Master Plan, which showed all the parcels being considered this evening currently Master Planned for Single Family Residential. Again, the effect of the re-zoning was that the parcels would not be able to be used for two-family housing in the future.

Commissioner Snyder asked if the driveway of the multi-family development was signed for one-way in and out. Did it have to be configured as it was presently? Commissioner Russell said it was one-way coming in because there was angled parking to the north. The drive typically functioned as one-way though he was not sure whether it was signed for this or not.

From the audience, Matt Mowers said people did go in off of Hutton, but both entered and exited off of Rayson.

Commissioner Miller asked if this re-zoning was being considered in order to remedy some issue, or to create a zoning that was more in line with the previous Master Plan. Planning Consultant Elmiger said the

re-zoning was being considered in order to create zoning that was more in line with the current Master Plan. City Manager Sullivan added that the discussion resulted from the recent 5-year Master Plan update. People looked at this area and thought the City should initiate a re-zoning for the area.

Commissioner Russell said that along Grace Street there had been two duplexes that were demolished and single-family homes put in their place. The area already functioned as an R-1B Single Family District.

Commissioner Maise asked if the construction of a single-family home in place of duplexes had only occurred once. Commissioner Russell said this had happened twice. The only duplex that was left was the one adjacent to the driveway of the multi-family housing.

Commissioner Russell asked about the grassy area on the property adjacent to the duplex and then south to the property abutting the R-3 District. Was that zoned R-2 area currently? Planning Consultant Elmiger said she believed the area was owned by the same person who owned the multi-family use, and that area was zoned R-3.

Commissioner Smith asked about the perceived benefit to this re-zoning.

Planning Consultant Elmiger said the perceived benefit was that it would result in zoning more consistent with the Master Plan and that it was more consistent with the existing land uses in the area. Property owners would know that this was going to be maintained as a single-family residential area. Currently property owners could convert a single-family residential building into a duplex or they could tear down a house and build a duplex. By re-zoning to R-1B, the property owner would no longer have that option.

Commissioner Maise commented that it seemed the original intent would have been for the R-2 District to be transition zoning between commercial and single-family districts. When did the Master Plan change? Originally were there a lot of duplexes in this area?

Planning Consultant Elmiger said the Master Plan had not changed since 2000. The 2000 Master Plan showed the lots being discussed this evening as eventual single-family use. She had not researched prior to 2000.

Commissioner Kirk said there were quite a few areas in the 70's and 80's that were R-2 Districts. Over time neighborhoods had changed and other re-zonings had occurred.

From the audience, Matt Mowers said that his understanding of the history of Grace Street was that prior to 2000, there were two sets of duplexes there. The duplexes had been taken down and single-family homes put in their place. The Master Plan had been revised to move to all single-family houses in the area, which would match the development of that area. Currently there was CBD on one side and R-1B everywhere else.

Planning Consultant Elmiger said that in contrast to the area being discussed this evening, the properties a little further north that were zoned R-2 had seen some reinvestment in two-family housing, so that there was a mix of single-family and new duplexes in that area. The same kind of activity had not occurred along Grace and Rayson, where homes were converting to single-family.

Commissioner Maise said she thought this re-zoning consideration was being driven by demand for housing conditions as the land use pattern was developing in the area.

Commissioner Smith said she agreed. Knowing the Northville real estate market as she did, at one time this area of Cabbagetown was quite different. Recently large homes had been constructed. The land itself was very expensive. She wondered about the re-zoning rationale. At worst-case scenario, if someone built a duplex it would be a luxury duplex, something for empty nesters or single people. This would meet a market need.

Commissioner Maise said this had been her point also. This was a logical progression to the existing zoning, from business, to a little higher density buffer zoning, to single family residential. However, she did feel that the market was bringing in people who wanted single-family housing in the area.

Commissioner Smith said there were many people who wanted to live in downtown Northville who did not want a 4,000 square foot house.

Commissioner Maise asked how many properties would be available for two-family housing in this area.

Planning Consultant Elmiger said there were 13 parcels in the R-2 area. One was already a duplex, so 12 had the possibility to convert.

Commissioner Smith asked if there was a negative point to a luxury duplex.

Commissioner Russell said the house on the corner of Rayson and Hutton used to be an apartment. At one time he had been interested in purchasing this home and the owner had not been interested in selling to someone who wanted to convert the building to a single family home. However, now it was a single family home. Commissioner Snyder thought there might still be a rental unit above the garage. Over the years a sign had appeared saying “Apartment for rent.”

Chair Wendt opened the public hearing at 7:48 p.m.

Will ~~Sturgeon~~ Spurgeon, 250 Rayson Street, said he owned the home at Rayson and Hutton and he was not renting an apartment above the garage. He had owned the home for approximately 6 months. The previous owner had converted the home to single-family.

Mr. Spurgeon said he represented folks on Rayson Street. He read a letter from his direct neighbor Laurie Coppock, 200 Rayson Street, who was out of town. Ms. Coppock opposed the re-zoning. She had purchased her home in 1986 as an R-2 home. Her property values were assessed as being part of the R-2 District. If her property were changed to R-1B her value, which was just starting to readjust from the 2008-2009 recession, would go down. She wanted to have a choice as to what she could do with her property and was against the re-zoning proposal. She wanted to remain R-2.

Mr. Spurgeon said that he also wanted to remain R-2 for the flexibility that it gave. When they purchased an expensive home in Northville 6 months ago they did so desiring the R-2 Zoning District. While they did not foresee converting to a 2-family house, the added flexibility of being able to do this gave them economic options in the future, especially knowing that at one time his house had already been a duplex.

Matt Mowers, 131 Rayson Street, said that in speaking with his neighbors, it became clear that the folks who lived next to the multi-family housing and the existing duplex wanted to maintain the R-2 Zoning District. The folks on Grace Street north of Rayson Street wanted to re-zone to R-1B. When they had originally circulated letters all the owners on Grace north of Rayson had signed. One of the reasons those owners wanted the change was to be able to use the zoning standards of the R-1B District, as their

neighbors across the street on the east side of Grace Street could do. He discussed some of the differences in standards between the R-2 and R-1B Districts. He said that the houses that were between Lake and Rayson on Grace Street were all single family and everyone in that section wanted single family.

Mr. Mowers said based on what the homeowners wanted, he would offer a compromise. His proposal was to maintain R-2 for the homes on the south of Rayson Street. The homes north of Rayson on the west side of Grace would be re-zoned R-1B.

Chair Wendt acknowledged a letter from Timothy and Katrycia Skillman, 134 Rayson Street, who opposed the re-zoning.

Seeing that no one else came forward to speak, Chair Wendt closed the public hearing at 7:55 p.m.

Commissioner Smith noted that the people who had single-family homes in the R-2 District could not be forced to convert to anything else – no one could take that away from them.

From the audience, Mr. Mowers said that everyone in the R-2 District was held to a higher standard in terms of dimensional requirements, etc. He spoke to the differences in requirements for homes on either side of Grace Street. He reiterated that the homeowners on Grace were not abutting multi-family and did not have in mind to do anything except single-family residential.

In response to a question from Commissioner Smith, Mr. Mowers said all the setbacks – front, side, and rear, were different for the two zoning districts.

Planning Consultant Elmiger added that in the R-2 District, there was no front yard averaging, as there was in the R-1B District.

In response to a question from Commissioner Maise, Mr. Mowers pointed out on the aerial which section would stay R-2 and which would be rezoned to R1-B, under the compromise he offered.

Commissioner Maise asked if the homes on the west of Grace (currently R-2), which had bigger setback requirements than those on the east side of Grace (currently R-1B), looked out of character with homes across the street or further north. Mr. Mowers said: yes and no. One of the issues, for example, was that the R-2 District did not give any ability to do any sort of landscaping into the setback. On the east side of Lake Street there were homes that were 6-8 feet away from the sidewalk. Homes were much closer to the sidewalk because of porches, etc. Also, in the R-1B District, the front yard averaging could benefit people who were trying to do something with the front of their home.

Commissioner Russell asked Mr. Mowers how the proposed re-zoning would affect his trellis. Mr. Mowers said it would not affect the trellis, which would have to be removed under either zoning district. The zoning requirements would affect other things, including the placement of garden ornaments and structures, etc.

Commissioner Russell said the front yard setback was one foot greater in R-2 than the average in R-1B. Mr. Mowers explained that when he applied for a variance, the zoning requirements were the difference between asking for a 4-foot or 15-foot variance – a significant difference.

Commissioner Russell said he liked the compromise Mr. Mowers put forth. He confirmed with Planning Consultant Elmiger that this would be a downzoning. She agreed, explaining that R-1B was a less intense use than R-2. She affirmed that the proposed change was legal, and based on the Master Plan.

Commissioner Maise said she thought the Planning Commission needed more analysis on the houses that would be affected before the re-zoning went further. What were the houses like now? Were any nonconforming? What could they do now vs. what could they do after the re-zoning? Were any variances granted for the new homes?

Mr. Mowers said the home on Grace and Lake received variances so that they could build into their setbacks.

Responding to Commissioner Maise's question about what was allowed and what wasn't allowed, Planning Consultant Elmiger said the R-2 District allowed all the uses as in the R1-B District, and also allowed duplexes.

Commissioner Miller said that if there were a block of residents who were okay with the downzoning, and it conformed to the City's Master Plan, and the City wanted to use this as an opportunity to better organize the zoning, he would support that. He would not support a downzoning when residents didn't want it. He supported Mr. Mowers' compromise.

Commissioner Maise confirmed that all the opposition to the re-zoning was from homes south of Rayson Street.

Commissioner Kirk said it was clear that the residents north of Rayson wanted to join the R-1B District and the residents south of Rayson wanted to remain R-2.

Commissioner Russell said the R-2 District was always a transition district and was perfect for the area south of Rayson.

Commissioner Snyder said that he supported Mr. Mowers' compromise. However, he emphasized that they had only just finished the Master Plan with many public meetings and comments. Yet now they were "2 for 2." Why spend all that time on the Master Plan? The time and energy put into the Master Plan should be important and something to consider. It was a long, arduous process and it was felt at that time that the area south of Rayson should be R-1B.

Commissioner Maise reviewed the homes that were new on Grace Street. She confirmed that the house on Grace and Lake received variances.

In response to questions from Commissioner Snyder and City Manager Sullivan, Planning Consultant Elmiger said to rezone only a part of the area advertised for a public hearing did not require another publication and public hearing. However, the motion should be clear as to what was happening.

Commissioner Smith asked if the Commission had verification that everyone on Grace Street north of Rayson was on board with this re-zoning change. Mr. Mowers said he had signatures at his home from these people, from 2 years ago.

Commissioner Kirk said this was a public hearing and anyone opposed could have come this evening.

Chair Wendt indicated he was ready for a motion.

MOTION by Russell, support by Maise, to recommend to City Council approval of an amendment to the proposal presented to us this evening by Carlisle/Wortman, dated January 14, 2016, as follows:

- **The recommendation is to rezone the properties abutting Grace, Rayson and Hutton Streets, i.e., the properties on the west side of Grace Street north of Rayson Street, from R-2 to R-1B, and**
- **Further that we recommend to City Council that the remaining parcels that were indicated on the same letter dated January 14, 2016, that are south of Rayson Street and west of Hutton Street, remain in the R-2 District.**

Chair Wendt asked for a roll call vote.

Snyder	yes
Russell	yes
Kirk	yes
Wendt	no
Maise	yes
Smith	yes
Miller	yes

Therefore the motion carried 6-1 (Mowers recused).

Commissioner Mowers rejoined the Commission.

8. DISCUSSION

Planning Consultant Elmiger said that driveways and lot coverage/open space would be discussed at the next meeting.

Commissioner Mowers asked that a discussion of PUD process be added as a future agenda item.

9. ADJOURN

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

MOTION Snyder, support Mowers, to adjourn the Planning Commission meeting at 8:15 p.m. Motion carried unanimously.

Respectfully submitted,
Cheryl McGuire
Recording Secretary

Approved as amended 4/5/16