

CITY OF NORTHVILLE
Planning Commission
December 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: Carol Maise
Dave Mielock
Christopher Miller
Matthew Mowers
Mark Russell
Anne Smith
Jeff Snyder
Jay Wendt

Absent: Steve Kirk - excused

Also present: Patrick Sullivan, City Manager
James Gallogly, Public Works Director
Don Wortman, Planning Consultant

3. MINUTES OF PREVIOUS MEETING: December 2, 2014

Motion Russell, support by Mowers, to approve the December 2, 2014 minutes as published.

In response to a question from Commissioner Snyder regarding the portion of the minutes having to do with the Master Plan, Planning Consultant Wortman said that the approved wording regarding heights in flood plain areas was: *In floodplain areas, height limits be 2-1/2 stories over the first floor non-habitable parking area.* City Manager Sullivan added that City Council had adopted the Master Plan and that wording was part of the approval.

In response to a further question from Commissioner Snyder as to whether a builder could bring in significant fill, resulting in a higher than planned structure, City Manager Sullivan said the Planning Commission could address this possibility during the scheduled public hearing (January 20, 2015) on the proposed Cady Street Overlay (CSO) District.

Motion carried unanimously.

4. AUDIENCE COMMENTS: None

5. REPORTS:

- A. **CITY ADMINISTRATION:** City Manager Sullivan reported that the City Council had adopted the Master Plan on a 4-1 vote, after much discussion regarding the height limit in the

flood plain area, with concern that greater heights might be needed. A Planned Unit Development (PUD) for the Cady Street Area might be the best way to help mitigate flood plain issues.

B. CITY COUNCIL: None

C. PLANNING COMMISSION: Chair Wendt welcomed Commissioner Miller to the Commission.

D. OTHER COMMUNITY/GOVERNMENTAL LIAISONS: Commissioner Maise reported on the November meeting of the DDA Parking Sub-committee, where issues regarding congestion at the Marquis parking lot were addressed.

6. SITE PLAN REVIEW: 335 EAST CADY STREET

Referring to his review letter of December 9, 2014, Planning Consultant Wortman gave the background and review for this site plan application. The applicant was requesting preliminary and final site plan approval for the construction of a three-story townhouse-style residential development (Corner House) located at the corner of Cady and Griswold Streets. Eleven residential units were proposed with 27 on-site parking spaces, 18 of which would be provided in garages at the rear of the building. The development had a residential density of 20 dwelling units per acre. Four types of units were proposed, with differences in square footage, number of bedrooms, etc.

The site was 24,011 square feet (0.55 acres) in size and was zoned CBD, Central Business District. However, this location was proposed to be part of the as yet unapproved Cady Street Overlay District. Tonight's site plan review assumed the successful adoption of the CSO District, and therefore the application was "at risk."

Planning Consultant Wortman said that an application and site plan for Corner House were originally submitted in October 2005. That application – approved in 2006 by the Planning Commission and the Historic District Commission – was for a mixed-use residential/office building featuring six office spaces at ground level and a total of 21 dwelling units.

The current proposal was for residential use only. Again, this was predicated on the successful adoption of the proposed CSO District in its current form, as the present CBD Zoning District did not allow first floor residential.

Planning Consultant Wortman listed 17 outstanding issues with this application:

1. The applicant needed to indicate if the proposed units would be rental or condominiums. If the units were condominiums, the application needed to submit proper documents, including Master Deed and Bylaws.
2. As noted above, the Planning Commission needed to discuss the limitations of the current CBD Zoning District as compared to the proposed, but not adopted, CSO District.
3. The proposed CSO District included 10-foot minimum front yard setbacks for first floor residential. Only six of the proposed units had 10-foot setbacks; five units had 5-foot 4-inch setbacks. The proposed CSO District gave the Planning Commission some flexibility regarding setbacks, especially if bedrooms were on the 2nd floor, and/or if design modifications helped direct pedestrians away from the very front of the dwelling. The architect in this case should provide more information regarding these proposed setbacks and the Planning Commission would need to make a determination regarding a waiver of the 10-foot front yard setback.

4. While there was not a specific side yard setback requirement, the 2.5-foot separation between the proposed building and the New Victorian Condominiums to the west seemed too tight. The applicant should indicate if the narrow strip between the two buildings would feature asphalt, grass or another surface, and how this strip would be maintained. If the development was proposed as a site condominium, the maintenance plan for this strip should be provided within the Master Deed document.
5. Due to the development's location within the Historic District, the Historic District Commission would need to approve the proposed structure in accordance with Ordinance No. 6-12. The Planning Commission would need to review HDC comments.
6. The applicant should provide required details regarding the proposed gabion wall at the rear of the property.
7. Regarding the gabion wall, a more conventional, decorative type of wall would be preferable. The applicant should explain why the gabion retaining wall was chosen.
8. Regarding woodlands, and under the requirements of Section 90-36 of the City's Vegetation Ordinance, 29 replacement trees were required for this project. Only 20 new trees were proposed. However, there might not be enough space on site for the nine remaining trees. Under the ordinance, where it was not feasible to replace or relocate trees on site, the Planning Commission could require greater size for replacement trees, require replacement trees at another location on public property in the city, or require contributions to the City's environmental resource trust fund. The Planning Commission could also consider the planting of shrubs for trees at a ratio of no less than six shrubs per required replacement tree. The applicant's landscape calculations showed 22 replacement shrubs, equaling four replacement trees. If the Planning Commission accepted the replacement shrubs only five additional replacement trees were necessary. Due to the limitations of landscape areas on the site, Planning Commission Wortman recommended that the Planning Commission require a contribution to the City's environmental resources trust fund of an amount equaling that of five replacement trees.
9. Regarding site access and circulation, the applicant needed to indicate how garbage trucks would access the proposed rollout garbage cans. The applicant needed to check with Public Works Director Gallogly regarding whether or not an onsite dumpster would be required, and the specifics of solid waste handling needed to be clarified.
10. Also regarding site access and circulation, two proposed street trees were adjacent to the Griswold Street access drive within the 8-foot corner clearance area. These trees should be removed or relocated in order to ensure the required safe vision. The landscape area to the north of the parking lot might be an appropriate relocation area, given that the trees' root system would not damage the retaining wall. Shrubs also might be planted within the 8-foot clearance area to replace the trees, provided that they were less than 30 inches tall.
11. Regarding streetscape requirements, additional details of streetscape elements needed to be provided, including compliance with such DDA Standards as tree grates and planter areas. All DDA standards needed to be met.
12. Regarding lighting, the Planning Commission needed to determine whether street lighting was necessary along Griswold.
13. Details of proposed street lights should be provided, and should be shown to be pedestrian-scaled and complementary to the City of Northville Downtown Development Authority (DDA) standards, in accordance with the proposed Cady Street Overlay District.
14. Wall sconces were shown on the color renderings, but details had not been provided. The applicant should provide additional information regarding building lighting, as well as a photometric plan.
15. Building materials included brick veneer, Azek siding and metal railings on the second floor. The Cady Street façade featured several recessed porch areas that provided visual variation. However, the rear façade (garages) was comprised solely of Hardie siding and lacked any visual or material

variation. The applicant should provide some visual variation on the rear façade, such as installing brick bands over the garages.

16. The floor plans indicated that the rooftop HVAC units would be fully shielded. The applicant should indicate if rooftop HVAC units would be located on the roof of all units, or only several units.
17. Regarding the 2.5-foot separation between the proposed building and the building to the west, Public Works Director Gallogly had indicated that a 3.0-foot separation might be required, and fire suppression would have to be addressed and meet fire code safety standards, with a complete review by the Building Department.

Planning Consultant Wortman also pointed out that no signs were indicated on the plans. If the applicant wanted to add signage, a separate review by the HDC was required. Details about signage, including size and types of signs as well as sign location, needed to be provided.

Planning Consultant Wortman said that floor plans, elevations and color renderings had been provided, and parking requirements were met by this plan.

Architect Roger Berent, 53064 Nadine Court, Shelby Township, MI, was present on behalf of this site plan review application. Realtor Shelby Fulkerson, Hub LLC, 829 Penniman Avenue, Plymouth MI, was also present.

Utilizing the overhead, Mr. Berent gave some background to the team working on this proposed development, and described other similar projects they had completed in Plymouth and Royal Oak.

Mr. Berent reiterated that a similar project had been approved for this site in January 2006. Because of economic conditions at the time, that project had never gone forward. He showed photos of the site, which was currently undeveloped. He affirmed that the proposed development would create a walkable, residential community on the edge of this zoning district.

Mr. Berent showed elevations of the proposed project. Each home was an individual 3-story condominium townhouse, with living space in the front, a garage in the rear, and bedrooms on the second and third stories. Within the first floor elevations different setbacks were utilized to access step-up porches, resulting in entrances that were off and above the sidewalk. The porches were 5-6 feet back. This, combined with the 5-foot setbacks, provided a virtual 10-foot setback for these units.

Mr. Berent affirmed that they would conform to all DDA lighting and tree planting standards.

Stating that he had met with Planning Consultant Wortman since receiving the review letter, Mr. Berent showed a slightly modified site plan that addressed some of the issues called out by Mr. Wortman. Modifications included the elimination of the 2.5-foot strip between the proposed development and the building to the west, providing a zero setback on that side. This allowed units 6 and 7 to be stretched to the west, and the garages for those units would now be two-car, eliminating two parking spaces in the parking lot, and allowing off-street space for a properly screened dumpster that provided easy access for the waste hauling company.

Mr. Berent said the gabion retaining wall had been changed to a wood-textured (or similar) pre-cast wall.

Mr. Berent described architectural articulation that had been added to the rear elevation, with the first three larger corner houses being all brick facade, with siding on the remaining eight units. Three of the

eight units would be cantilevered to help break up the scale and add interest to the back of the building. There would be brick all the way across the bottom of all the units.

Mr. Berent emphasized that they were proposing a development that was appropriate to this area, met City regulations under the proposed CSO District, and would not require any variances. Mr. Berent continued that the development was appropriately scaled and had visual appropriateness as well, and would energize this corner of the City, giving it life and activity that matched the rest of Northville.

From a marketing standpoint, Mr. Berent said that they had quietly “pushed it out there” and had over 32 potentially interested clients for the 11 units. Noting that timing was important, Mr. Berent closed by asking for preliminary and final site plan approval for this project.

At the request of Chair Wendt, Public Works Director Gallogly spoke to the following concerns:

- The corner near the retaining wall was tight, with the retaining wall pushed almost to the curb. This should be moved back and rounded, giving pedestrians better walking access to the area.
- No street lighting was provided on Griswold; at least two lights were needed. These should meet streetscape requirements.
- Storm sewer details would need to be shown and approved; this should be made a condition of any approving motion. Thickness of the asphalt pavement also needed to be shown.

Mr. Berent said they could make some changes to the retaining wall to give better pedestrian access. They would consider adding one or two lights on Griswold. Engineering details regarding storm sewer and storm water runoff, and pavement thickness would be provided.

In response to a question from Commissioner Maise, Planning Consultant Wortman reviewed again the 10-foot setback requirement under the proposed Cady Street Overlay District, and the ability of the Planning Commission to waive or modify that requirement if there was no first floor bedroom or if some type of architectural or landscape barrier would direct pedestrians closer to the sidewalk.

Mr. Berent affirmed that all bedrooms would be on the 2nd and 3rd floors. In terms of the setback, those units with less than a 10-foot setback had porches with a step up to the porch. Additionally, the site grade provided a natural barrier to the entrances. The porches would be covered, and the entrances would thus be semi-private, and would provide a buffer between the units and pedestrians on the sidewalk outside.

In response to a question from Planning Consultant Wortman, Mr. Berent said the New Victorian Condominiums were a foot or so further south than this proposed development.

In response to questions from City Manager Sullivan, Mr. Berent said that his recollection was that there were no windows on the east elevation of the New Victorian. He believed the townhomes he had built in Royal Oak had a 3-4 foot setback.

Planning Consultant Wortman confirmed there were no windows on the east elevation of the New Victorian.

Commissioner Maise noted that this would be the first project submitted under the new proposed Cady Street Overlay District. She was not entirely comfortable with this first project asking for setback waivers. Planning Consultant Wortman noted other structures on Cady Street had a zero setback as was allowed in the CBD Zoning District.

Planning Consultant Wortman said that the proposed new sidewalks were close to 10 feet wide; the sidewalks in front of the New Victorian were narrower than that.

In response to questions from Commissioner Maise, Mr. Berent said that he didn't know the distance between the proposed driveway and the driveway to the credit union to the north. Public Works Director Gallogly said he had not reviewed the spacing between the two driveways. Commissioner Maise said that the driveway entrance seemed very tight; she noted that credit union parking and access was already very congested.

Commissioner Mielock said he thought the applicant was trying to eliminate on-street parking for this development.

Commissioner Russell said the turning movements should not conflict with each other.

Commissioner Maise asked if a car could back out of the last parking spot to the west on the site plan. Noting that this area had garage access, Mr. Berent said that they could widen that spot out a bit.

In response to a question from Chair Wendt, Mr. Berent said guests could potentially park in a few of the exterior parking spots, along with parking on Cady Street. City Manager Sullivan pointed out the Tipping Point parking lot across the street. Planning Consultant Wortman said there was also parking on Griswold Street near the DTE substation.

Commissioner Maise said that while she liked the project, she felt there should be a circulation plan presented as part of this site plan review. Ms. Fulkerson explained that these kinds of developments were in an urban setting, and parking was tight. If there was not sufficient parking radius for the last parking spot, they would convert that unit to a 1.5 car garage in order to give more exterior space for a turnaround. Perhaps this could be a condition for approval.

Commissioner Maise said the ordinance did include provision for accessibility/traffic/good engineering standards and these qualities needed to be demonstrated. She felt tonight's presentation offered only enough information for a preliminary site plan approval.

Referring the Commissioners to the engineered site plans in their packets, Mr. Berent pointed out that the site plan approved in 2006 contained 47 parking spaces. They had reduced the plan to 21 parking spaces, and the intensity of use had also decreased.

Commissioner Maise wanted more information regarding what was a good spacing standard between access driveways. While she understood this was a proposed "urban development," the Planning Commission could not approve a site plan based on an "urban setting." The Commission needed to address safety issues and traffic standards; they could only do this if they had some foundational information regarding what was considered to be good spacing between driveways.

Planning Consultant Wortman cautioned that an access on Cady Street was not desirable; the property owners could not be denied access to their property.

Commissioner Mowers pointed out that the credit union's peak hours were different than those proposed for this development.

Commissioner Maise was concerned that the Planning Commission do due diligence; the credit union might not always be a credit union, and if the Cady Street Overlay District went through, there was the potential for significantly heavier traffic on Griswold in the future.

Ms. Fulkerson requested an approval tonight, with conditions. She felt certain all issues could be resolved during the permit and construction process.

Commissioner Maise said the standard was higher for a final approval. The consultant's review letter listed 17 issues that needed to be resolved; it was very difficult to give final approval with that many outstanding items.

In response to questions from Commissioner Smith, Ms. Fulkerson said they were planning on pre-selling the units. The homes would be custom on the interior. Condominium bylaws were not yet developed.

In response to a question from Commissioner Mielock, Planning Consultant Wortman confirmed that the City would need to review Master Deed documents and bylaws. If the Commission wanted, the project could be approved subject to the bylaws being reviewed by the City Attorney. Storm water and maintenance items, etc., needed to be covered by the Master Deed documents.

Noting that they still had to go before the Historic District Commission, Ms. Fulkerson said they would have more complete material sample boards at that time. Mr. Berent said they hoped to go before the HDC in January.

Mr. Berent showed some sample materials that gave a general idea of the brick color. There was a cream stone base with full masonry brick above that. The windows would be black to match the black railings. A second brick color would provide highlights; he did not have a sample of the second brick color this evening.

In response to questions from Commissioner Snyder, Mr. Berent gave some information regarding construction of the corner cantilever, fire suppression, etc.

In response to a question from Commissioner Mielock, Mr. Berent said the roof top individual residential HVAC units would be located toward the rear of the buildings and would be screened. Each HVAC unit would be placed individually atop its dwelling unit.

Commissioner Maise wondered if the grade would affect the visibility of the HVAC units. Mr. Berent emphasized that the HVAC units would be on the 3rd floor rear of the buildings. Commissioner Maise said they needed to see a detail from Griswold of the HVAC units.

Commissioner Mielock said that tonight's presentation fit the requirements of a preliminary site plan approval. The questions raised tonight were things that were generally shown on the drawings so that questions did not need to be asked. He felt uncomfortable with a final site plan approval with conditions; he did not think these plans were ready for that.

Mr. Berent affirmed that they could resolve the issues listed in the consultant's letter and the issues raised this evening. He asked for preliminary and final site plan approval with conditions, so that they could move ahead with construction documents and start construction in the spring.

Commissioner Maise said the Planning Commission had a responsibility not to approve plans until they met requirements, and issues regarding health, safety and welfare were resolved.

Chair Wendt agreed that tonight's presentation presented information for preliminary approval only. The approval process did take time, and in this instance Historic District Commission approval was also required. HDC approval was not a given, especially since there were different people on the HDC than in 2006 when the previous project was approved. These were all necessary steps in order to make sure the project was done correctly.

Commissioner Russell also agreed that tonight's motion should be for preliminary approval only. There were outstanding health, safety and welfare issues, along with concerns regarding the driveway location and corner and site clear vision issues. He questioned the Quanzan Oriental Cherries that were proposed for this area; those trees were branched too low for sight visibility and were also short-lived. Mr. Russell was also concerned that storm water was draining off site; this should be remedied and all storm water should be handled on site.

Commissioner Russell emphasized that the current CBD District did not allow first floor residential and the proposed CSO District – which did allow first floor residential – was not yet approved. It would be difficult for the Planning Commission to approve this project conditioned on City Council approving the CSO District.

Commissioner Russell continued that the HardiePlank in the rear was not to his taste though the Commission could not regulate this. Still, he felt that something more in keeping with downtown Northville and the Cady Street District would be superior. The trade of tree vs shrub was not Mr. Russell's ideal; he would prefer the developers pay into the City's environmental resource trust fund than to squeeze shrubs into spaces that were not optimum for this purpose.

In response to a question from Commissioner Snyder, Mr. Berent said he did not know the heights of the rear retaining wall. Commissioner Snyder was concerned that the precast panels were not much of an aesthetic upgrade for this element. Discussion followed. Commissioner Russell thought plant material hanging down the wall would be good. Would a barrier be required for the top of the landscape wall? Perhaps a hedge across the top would be acceptable.

In response to a question from Commissioner Mielock, Mr. Berent said that a security gate was not planned for this development.

Commissioner Mowers said that more justification was needed for the waiver of the 10-foot front yard setback. The applicant should provide information regarding existing setbacks on Cady and Griswold Streets.

Mr. Berent gave some of the history of this proposal, and said that at this point the zoning regulations were a moving target.

Commissioner Miller said the project was a good one. Concerns raised were legitimate; he thought details could be worked out in time.

It was the consensus of the Commission that another layer of detail was required for consideration of final site plan approval. Additionally the proposed CSO District needed to be approved with first floor residential before this project could be moved forward.

In response to a question from Mr. Berent, Planning Consultant Wortman said that the Planning Commission would hold a public hearing on the draft Cady Street Overlay Ordinance on January 20, 2015. If the Planning Commission recommended approval, the CSO would go to City Council for a first reading and discussion, and after that for a second reading. It was possible that the CSO would not be approved until March. There were no guarantees at this point, and the development proposed this evening was “at risk.”

City Manager Sullivan wondered if it made sense for the applicant to go before the Historic District Commission. Ms. Fulkerson was concerned about going before the HDC before site plan approval; they would have to return to the HDC if there were any major project changes. Planning Consultant Wortman encouraged the applicant to go the HDC and get those discussions and approvals at least started while the applicant was waiting to see what happened with the CSO overlay district.

In response to a question from Commissioner Maise, Planning Consultant Wortman said that the Planning Commission could give preliminary approval this evening, acknowledging that the use proposed (first floor residential) was conditioned on that use being approved as part of the proposed CSO District.

After further discussion of timing and process, Chair Wendt asked for a motion.

MOTION Russell, support by Maise, to grant preliminary site plan approval for 335 Cady Street with the following conditions:

- a) **Planning Commission recommendation for approval and City Council approval of the proposed Cady Street Overlay District, including first floor residential.**
- b) **Applicant to resolve the 17 issues listed in the December 9, 2014 Carlisle/Wortman review letter, with the following additions:**
 18. **Applicant study and provide documentation that the project access complies with Institute of Transportation Engineers (ITE) Standards and/or recommendations from the applicant’s civil engineer and/or traffic consultant.**
 19. **Applicant address additional items discussed by the Planning Commission this evening.**
 20. **Applicant resolves items listed in the November 25 2014 internal staff review.**

Roll call vote was as follows:

Russell	yes
Snyder	no
Smith	yes
Miller	yes
Mielock	yes
Maise	yes
Mowers	yes
Wendt	no

Motion carried 6-2 (Snyder, Wendt opposed; Kirk absent)

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

MOTION Mowers, support by Russell, to adjourn the Planning Commission meeting at 9:03 p.m. Motion carried unanimously.

Respectfully submitted,
Cheryl McGuire
Recording Secretary

Approved as published 01-20-2015