

CITY OF NORTHVILLE
Planning Commission
April 21, 2015
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
Anne Smith
Jeff Snyder
Jay Wendt

Absent: Steve Kirk
Marc Russell

Also present: James Allen, Mayor Pro Tem
Patrick Sullivan, City Manager
James Gallogly, Public Works Director
Sally Elmiger, Planning Consultant

3. MINUTES OF PREVIOUS MEETING: March 17, 2015

**Motion Mowers, support by Maise, to approve the March 17, 2015 minutes as published.
Motion carried unanimously.**

4. APPROVAL OF AGENDA

5. AUDIENCE COMMENTS: None

6. REPORTS:

A. CITY ADMINISTRATION: None.

B. CITY COUNCIL: None.

C. PLANNING COMMISSION:

Commissioner Mowers noted that the discussion items scheduled for this evening could eventually be agenda items. Should that happen, he requested that Building Official Strong be present.

D. OTHER COMMUNITY/GOVERNMENTAL LIAISONS: None.

7. FINAL SITE PLAN REVIEW: 505 N. CENTER STREET – WHAT’S STIRRING

Referring to the March 11, 2015 Carlisle/Wortman review letter, revised April 15, 2015, Planning Consultant Elmiger gave the review for this application, located at 505 N. Center Street, in the Professional and Business Office District (PBO) with Central Business District – Overlay (CBD-O). The applicant was renovating an existing vacant building into a coffee shop.

Planning Consultant Elmiger said she had reviewed the revised plans, and there were only a few remaining outstanding items. These were called out under *Recommendations* on page 9 of the review letter. Planning Consultant Elmiger noted that per the April 15 and April 17, 2015 letters from applicant Greg Presley the items had been addressed as follows:

- A. The applicant agreed to increase the size of the mitigation trees to 2.5” caliper.
- B. The applicant agreed to provide a copy of the existing easement agreement with Hillers to the City, and this had been provided this evening.
- C. The applicant agreed to return for Site Plan review if the Planning Commission so determined, if the second floor was converted into restaurant space.
- D. The applicant agreed to provide a sign detail for the compact car space.
- E. Information regarding how large delivery trucks would circulate the site would be provided this evening; a letter regarding this was also provided.
- F. A photometric plan would be provided this evening, and more information would be given regarding shielding the parking lot light on the northern property line, as well as providing the mounting height of any lighting.
- G. Signage was not part of this submittal.
- H. The applicant agreed to and was in process of coordinating storm water and utility connections with the City DPW Director. The revised site plan showed a 20-foot easement across the front of the property in order to allow the City to maintain the public sidewalk.
- I. The applicant would clarify this evening if the dumpster screen would be faced with brick or CMU painted to match the building.

Planning Consultant Elmiger concluded her review by noting that once all items had been appropriately addressed she would recommend final site plan approval.

Gregory Presley, Presley Architecture LLC, 108 N. Center, Suite 205 Northville, MI was present on behalf of this application. Mr. Presley distributed additional materials, and he referred to his letters of April 15 and April 17, 2015 included in those materials as well as the Commissioners’ packets. He pointed out that a cut sheet was attached that addressed light pole height. The light pole was shown on the photometric plan as the maximum allowed 25’ high. He spoke to height differences between this property and the one adjacent to the north, to the qualities of LED lighting and the ability of the light to be adjusted. He was confident that the lighting could be adjusted as needed, and no light would be shed on the property to the north.

Regarding the dumpster wall, Mr. Presley said that the wall was CMU and would be painted the same color as the building.

Regarding truck deliveries on site, Mr. Presley referred to a letter in the materials distributed this evening from owner Darrell Ibach, Jr., in which Mr. Ibach affirmed that they would work with their *suppliers and vendors to limit delivery trucks to trucks that do not exceed 25 feet in length*. Additionally, Mr. Ibach affirmed that there was *ample amount of room for delivery trucks and parking, with over 21 feet of space between the truck loading zone and the parking row the south of the lot*. It was also Mr. Ibach’s intention

to work with his vendors to ensure deliveries were before 8:00 a.m. Mr. Presley said that Mr. Ibach was making a good faith effort to address all delivery issues.

Mr. Presley next directed the Commission's attention to the easement agreement with Hillers, also included in the materials he distributed this evening. The easement was now official and would last into perpetuity.

City Manager Sullivan asked whether the City Attorney had reviewed the easement agreement. It came out in discussion that because this was not a shared parking agreement, review by the City Attorney was not required. However, Mr. Presley said he would be happy to have the City Attorney review the document and City Manager Sullivan suggested this review should be a condition of an affirmative motion.

Mr. Presley said that the rest of the materials he had distributed this evening had to do with the luminaires they were using and lighting on the site. The last sheet showed a luminaire 17'6" high; the pole would actually be 23 feet high on a 2-foot base.

Mr. Presley concluded his presentation.

Commissioner Mowers asked if the pole light could be turned off when the restaurant was closed. Mr. Presley agreed to this stipulation.

Commissioner Maise said that nighttime lighting was also a security issue. Mayor Pro Tem Allen pointed out that there was significant light spillover from Hillers; having this particular light shut off during off hours would probably not be a security problem.

Commissioner Mielock confirmed that the application was for final site plan review. Chair Wendt noted that the application was noted as "final" next to the stamped receipt on the application.

Commissioner Mielock said that the drawing showed brick on the dumpster screen wall. Could the drawing be modified or an addendum issued to show the 8-inch CMU as described this evening? Mr. Presley said the drawing would be changed to reflect the 8-inch CMU.

Commissioner Maise asked about the durability of painted CMU. Was there a difference between paint and having the CMU color integrated?

Mr. Presley said the face of the CMU would be wood, which would be painted. [The following clarification was made at the May 5, 2015 meeting: The dumpster gates would be painted wood and the dumpster enclosure would be painted CMU.]

Seeing that there were no further comments, Chair Wendt said he was ready to entertain a motion.

MOTION Mielock, support by Maise, that Final Site Plan, 505 N. Center Street – What's Stirring, submitted by Gregory H. Presley of Presley Architecture, LLC, be approved, subject to:

- The applicant seek a review of the parking easement with Hillers by the City Attorney.
- The letters dated April 15, 2015 and April 17, 2015 from Greg Presley, Presley Architecture LLC as presented this evening be accepted as amending the originally submitted site plan.

- A submission be received from the applicant regarding turning off the parking lot light when the restaurant is closed.

Roll call vote was as follows:

Miller	yes
Maise	yes
Snyder	yes
Smith	yes
Mowers	yes
Mielock	yes
Wendt	yes

Therefore the motion carried 7-0 (Kirk, Russell absent).

8. DISCUSSION

Lot coverage

Building Height/Grade Plane

Planning Consultant Elmiger explained that at the March 17, 2015 Planning Commission meeting there was a concern that the allowed lot coverage was being maxed out and new homes being built were out of character with their neighborhoods. The Commission had directed Planning Consultant Elmiger to look at this issue and provide information to the Commission to help them discuss this topic.

Referring to the April 15, 2015 Carlisle/Wortman memo regarding residential lot coverage, Planning Consultant Elmiger said that lot coverage was a complex issue. It was likely that 20 years ago people had the same permitted lot coverage and did not max out what was allowed, and therefore homes built then were more modest than those being constructed today. It was appropriate to look at the ordinance regarding lot coverage as well as some related issues.

Some topics that could be discussed included:

1. What was and was not included in the lot coverage calculation.
2. How lot coverage related to building mass.
3. How the use of lot coverage had changed in the last few years.
4. How other communities were handling lot coverage and neighborhood compatibility of new construction.
5. Consider how changing lot coverage would impact existing property owners.

Planning Consultant Elmiger said that these topics could help the Commission set priorities, and further help the Commission decide whether to move forward. She noted that this could be a complex and time-consuming issue.

Chair Wendt said that one of the major problems for him was big box homes going into historic neighborhoods, thus destroying the historic nature of the City. Perhaps reductions/changes in lot coverage should be examined specific to the Historic District.

Mayor Pro Tem Allen said that generally current lot coverage was 30%, with 35% for nonconforming lots. Porches counted at 50% of their square footage.

Planning Consultant Elmiger said Building Official Strong was using only the footprint to calculate lot coverage. The traditional 50% rule for open porches, etc., mentioned in the ordinance definition for floor area, was not mentioned in the definition of lot coverage.

Planning Consultant Elmiger said another issue was how enclosed and unenclosed porches were defined. The Building Official interpreted *enclosed porch* to mean anything with a roof. These issues needed clarification.

In response to a question from Commissioner Mowers, Planning Consultant Elmiger said that any structure on a lot contributed toward the 30% lot coverage.

Further discussion included:

- The impact of breezeways, including whether or not the breezeways had to include habitable space before they were calculated as part of lot coverage.
- In the early 2000's Planning Consultant Wortman had researched lot coverage in various neighborhoods. This information would be valuable today.
- The Historic District typically had higher lot coverage percentages, due to smaller nonconforming lots and buildings.
- Mr. Presley thought the 50% rule for open porches was especially important in the Historic District.
- Commissioner Miller thought the issue was not so much lot coverage as it was massing. Reducing lot coverage would not necessarily impact the massing issue. Less mass on the second level would be a way to bring the architecture into balance, even if this meant giving some relief regarding lot coverage.
- Mr. Presley said the City of Plymouth had an average 25-foot height for the main structure, but they also allowed an extra foot in height, up to five feet, for every foot of extra setback. This reduced mass automatically.
- Chair Wendt said that Building Official Strong had reviewed three large homes in Cabbagetown. All had heights within ordinance standards, and all appeared very large.

Discussion shifted to average grade plane. City Manager Sullivan noted that Chair Wendt, Planning Consultant Wortman, Building Official Strong, and himself would be meeting to take a look at possible ordinance changes, especially regarding grade plane.

Further discussion included:

- Sloping up a basement grade so that a 9 or 10-foot basement was only 3 feet in the ground significantly increased the height and mass of new construction. The height might be only 28 feet above grade, but where did that grade actually start? Had the grade been artificially raised?
- New construction needed to meet drainage standards, and these standards needed to be reviewed. Artificially raising the grade impacted water as it drained onto a neighbor's property.
- The City was now requiring a survey up front and a final grade inspection.
- The Historic District Commission was considering tying HDC approval to an identified grade at the sidewalk. Four feet above grade should be sufficient to get to first floor level.
- It was difficult to find a "one size fits all" standard, especially regarding grade level and drainage.
- While the ordinance said that half of a basement above ground became a story, if there was a door wall to a walkout basement that rule did not apply. The ordinance needed to be tightened.
- There should be an engineered drawing for every lot.

After discussion of several building issues in the City, Commissioner Miller asked if all construction projects had to go through engineering review. Public Works Director Gallogly said that only commercial projects went through this process. The Building Official reviewed all new construction.

City Manager Sullivan emphasized that Building Official Strong was requiring a grading plan and a finished grade survey for all new construction. However, the City lacked a standard as to how high a finished grade could be, especially in terms of compatibility with neighboring homes.

Commissioner Miller agreed that using the sidewalk as a base standard for beginning grade was a good idea, and presented several positive outcomes of doing this.

Further discussion included:

- Birmingham required less height on smaller lots.
- Different standards for different lot sizes would go a long way toward controlling mass.
- Some ordinances from other cities used green space and impervious surfaces when they dealt with lot coverage.
- Large homes on small lots with large garages in the rear had almost no green space.
- Attached garages with living space above added to inappropriate mass.
- Perhaps the Historic District regulations should require detached garages.
- In terms of the 50% rule for unenclosed porches, three and four-season rooms were not defined in the ordinance. Where did they fall in terms of lot coverage?
- In terms of impervious surfaces, permits were not required for driveways, patios, etc.

Referring to a handout in their packets, Planning Consultant Elmiger directed the Commission to draft changes regarding the definition of basement and building height, and placement of the definition of grade plane in the Zoning Ordinance. After brief discussion, the Commission directed Planning Consultant Elmiger to continue to review the ordinance and make recommendations for changes.

Accessory Structures

Planning Consultant Elmiger reviewed the history of this discussion, noting that this topic had come up in November 2013 and January 2014. This discussion related to small garden type structures and ornaments that people often placed in their front yards but which were in violation of the ordinance: benches, birdbaths, fountains, planters, etc., could not be placed in the front yard. At the January 2014 meeting, Planning Consultant Wortman provided an analysis of how other communities regulated these types of garden ornaments. At that same time, the Board of Zoning Appeals was deciding a case regarding a pergola in a front yard, and this had complicated matters. The BZA case had been denied, and now the issue of accessory structures in front yards was returning to the Planning Commission.

Referring to Planning Consultant Wortman's January 13, 2014 memo, Planning Consultant Elmiger said that two recommendations had been made: 1) garden ornaments would be permitted if they were under a certain size, such as 32 square feet. 2) no landscape ornaments should interfere with visibility from a driveway or intersection.

Commissioner Mowers pointed out that coach lamps, swing sets, planter boxes, etc., were prohibited in front yards under the current ordinance. He felt a majority of homes in the City had structures that violated the ordinance.

Commissioner Mowers also disclosed that he had been the applicant in the BZA case referred to above.

Further discussion included:

- Was setting a limit of 32 square feet too limiting?
- Could landscape ornaments be defined? How would the City deal with trellises and arches? Basketball poles? Flagpoles?
- Some kind of standard was essential in order to allow people to beautify their yards.
- There were good ideas in the compilation of ordinances from other cities that Planning Consultant Wortman had provided.

Planning Consultant Elmiger said that she would draft some proposed ordinance language regarding decorative elements in front yards, and bring this back to the Commission for further discussion.

Discussion returned briefly to lot coverage. City Manager Sullivan suggested rolling research and discussion regarding lot coverage into the working group mentioned previously. Planning Consultant Elmiger and Mayor Johnson should also be part of that group. Chair Wendt asked that Don Wortman's previous research be provided when the working group met.

Chair Wendt brought the discussion of accessory structures to a close.

Commissioner Mielock initiated a brief discussion regarding the Master Plan for the Old Village and Main Street Schools. The Master Plan did not show this area as higher density as had been the original intent. Planning Consultant Elmiger said at the time there was uncertainty as to whether or not the school could be repurposed, and that the Master Plan had intentionally not included the higher density; she would check on this.

Mayor Pro Tem Allen noted that the Historic District Commission had approved the Corner House. This would be returning to the Planning Commission for final site plan approval.

Commissioner Snyder pointed out some discrepancies in the new zoning map. Planning Consultant Elmiger noted these and said she would follow up with city staff regarding making corrections.

9. ADJOURNMENT

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

MOTION Mielock, support by Maise, to adjourn the Planning Commission meeting at 8:59 p.m. Motion carried unanimously.

Respectfully submitted,
Cheryl McGuire
Recording Secretary

Approved as published 5/05/2015

