

CITY OF NORTHVILLE  
Planning Commission  
April 5, 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  
Dave Mielock  
Christopher Miller  
Matthew Mowers  
Mark Russell  
Anne Smith  
Jeff Snyder  
Jay Wendt

Absent: None

Also present: Sally Elmiger, Planning Consultant  
James Allen, Mayor Pro Tem  
Patrick Sullivan, City Manager  
James Gallogly, Public Works Director  
Brent Strong, Building Inspector  
2 Citizens

**3. APPROVAL OF AGENDA:**

**Motion by Mowers, support Mielock, to approve the agenda as published.  
Motion carried unanimously.**

**4. MINUTES OF PREVIOUS MEETING:** February 16, 2016 & March 1, 2016

The minutes of the February 16, 2016 meeting were amended as follows:

- Page 7, 1<sup>st</sup> paragraph, first line: ~~Community~~ Commissioner Mielock . . .

**Motion by Kirk, support Russell, to approve the February 16, 2016 minutes as amended.  
Motion carried unanimously.**

The minutes of the March 1, 2016 minutes were amended as follows:

- Page 4, 9<sup>th</sup> paragraph, first line: Will ~~Sturgeon~~ Spurgeon . . .

**Motion by Russell, support Maise, to approve the March 1, 2016 minutes as amended. Motion carried unanimously.**

**5. AUDIENCE COMMENTS:**

Dennis Engerer, 459 Cady Street, Northville, MI, expressed his concern regarding the possible development of an assisted living facility at the Foundry Flask property. Several people in the neighborhood had some concerns about the proposed development. They were not against the development per se, but thought this was not the best location for it.

Planning Consultant Elmiger said that she had not heard anything from the proposed developers since they had last appeared before the Planning Commission. The next step was site plan review and then a public hearing, but nothing had been submitted.

**6. REPORTS:**

**A. CITY ADMINISTRATION:**

City Manager Sullivan reported that the City Council had approved the amendments regarding pergolas, garden ornaments, and residential height restrictions, and also approved the rezoning of the properties at Grace and Rayson (the section north of Rayson), all as recommended by the Planning Commission.

**B. CITY COUNCIL:**

Mayor Pro Tem Allen reported that the City Council had changed the overnight parking prohibition to 3 – 5 a.m., from 3 – 6 a.m., because there were businesses that were opening earlier, and they didn't want patrons of those businesses to be ticketed for parking.

**C. PLANNING COMMISSION:**

Chair Wendt addressed the protocol when Commissioners recused themselves from agenda items. When he had first joined the Commission those who were recused had to leave the room, with the exception of someone who was presenting a project to the Commission. About 8-10 years ago that protocol was changed so that if a Commissioner were recused, the Commissioner could sit quietly in the audience. He advised that this protocol was not being followed, and reminded the Commissioners that if they were recused, they should not be part of the discussion as an audience member.

Commissioner Maise asked if the Enabling Legislation addressed this issue. Planning Consultant Elmiger said the Enabling Legislation did not address it. Any regulation regarding recusals would be in local bylaws.

**D. OTHER COMMUNITY/GOVERNMENTAL LIAISONS:**

Commissioner Maise said the Parking Subcommittee had met this morning, with the first item of business being the change in overnight parking as already mentioned by Mayor Pro Tem Allen. They also looked at the three main parking lots, specifically regarding the postings vs. the traffic controllers. The Police Chief needed to make sure the traffic controllers matched what was posted.

Also, from the Downtown Development Authority (DDA), the Strategic Planning Committee was gearing up for an update, and it looked like this process would begin toward the end of April.

**7. DISCUSSION**

### CORNER HOUSE SITE PLAN MODIFICATION

Planning Consultant Elmiger gave the background for this discussion item, explaining that the developers came to the City several weeks ago asking to modify the final site plan for the Corner House. The developers wanted to reduce the number of units and decrease the size of the building. Section 19.11 of the Zoning Ordinance gave the Chief Enforcement Officer (Building Official) the latitude to determine if a proposed amendment to a final site plan was a minor amendment. If it was a minor amendment, the change could be reviewed and approved (or denied) administratively.

Planning Consultant Elmiger had talked with the Chief Building Official and the Building Inspector. Essentially the building would be smaller, the setbacks would increase, and the number of required parking spaces would be fewer. However, the applicants were not changing the number of parking spaces provided, so there would be more spaces than required.

In reviewing the Ordinance, it was felt that the changes would constitute a minor modification. However, it was also felt that it would be a good idea to present the changes to the Planning Commission, and have the Commission confirm the decision that the changes could be approved administratively.

Roger Berent, Roger Berent architects, 6435 Apple Orchard Lane, Rochester Hills MI, was present on behalf of this application, along with several other members of his team.

Referring to his letter to the Planning Commission of March 28, 2016, Mr. Berent reviewed the proposed changes in the Corner House Site Plan. These included:

- The elimination of one unit, and combining 2 other units, thus ending up with 9 marketable units (down from the original 11). In terms of footprint, they were eliminating 1/2 unit and adding square footage to other units.
- The footprint would be reduced by 9 feet. The building would still have a zero foot setback up against the New Victorian building.
- The appearance would not be affected. Everything that was previously approved was still in place.
- Reducing a residential building was considered to be a minor improvement.
- If the building were moved more than 5 feet potentially the Planning Commission would have final approval. However, the building was being reduced but not moved.
- The corner unit would be pushed back somewhat as an aesthetic improvement.
- By shifting Unit 1's first floor off of the property lines, they were able to create better access to the garage by creating a T-shape for pulling into and backing out of the garage.
- By eliminating one unit they were able to shift Unit 1 off of the property line on the first floor, and thus avoid excavating right at the footings of the New Victorian. The second and third floors of Unit 1 would be cantilevered so the overall appearance of the building would not be changing. A masonry wall would match the building at street level so there would not be a narrow alley or any access of the side yard off of the sidewalk.

Mr. Berent distributed a schematic of the new proposed south elevation along with the previously approved south elevation. He noted there was very little difference in appearance.

Mr. Berent said 8 of the 9 units were reserved. They hoped to break ground in approximately 1-1/2 to 2 months.

Commissioner Mielock thanked the applicants for coming back to the Commission. He did agree that the changes were minor and could be approved administratively.

In response to a question from Commissioner Russell, Mr. Berent further explained the construction next to the New Victorian, now that the first level of Unit 1 was shifted off the property line.

Commissioner Snyder asked about firewall specifications on the cantilevered walls of Unit 1. Mr. Berent explained the construction process in order to maintain a 2-hour rating there, and explained some of the construction details that would keep the walls dry in that area.

Chair Wendt asked about the faux windows on the New Victorian. Mr. Berent said these would still be visible, but he was not sure if they would be partially cut from view.

Mayor Pro Tem Allen asked Planning Consultant Elmiger about the revisions to the landscaping standards for this area. Planning Consultant Elmiger said this was still being worked out with the DDA.

Mayor Pro Tem Allen addressed the tight pitch point on the sidewalk at the corner of Griswold and Cady. Perhaps this could be addressed as the plan was developed. Also, was it possible to move the off-site storm drain to the parking lot? Mr. Berent explained that drainage issues included a private drain that was draining directly onto their property; their civil engineer was working on this issue.

Mr. Berent pointed out the landscape bump, which represented a “first shot” at this possible requirement. They knew they were going to be working with new landscaping standards.

The consensus of the Commission was to confirm the decision that the changes in the approved site plan, as discussed this evening, constituted a minor amendment to the site plan, and could be approved administratively.

### DRIVEWAYS

Planning Consultant Elmiger said they had responded to many of the concerns and comments that were provided at the last Planning Commission meeting regarding residential driveways. Public Works Director Gallogly had forwarded the Commission’s questions to Building Inspector Strong, who had provided answers in the March 17 document: *Residential Driveway Questions*.

Planning Consultant Elmiger noted that a building permit was required for a driveway, along with other concrete work that was against the house.

A residential driveway had a minimum width of 16 feet. There was no maximum width. Did the Commission want to put a maximum driveway width in the Zoning Ordinance or, alternatively, in the engineering standards?

Regarding the modifications to the Ordinance, the proposed changes included:

- An attempt to curb the amount of paving and parking located in front yards.
- An impervious cover standard.

Regarding the impervious cover standard, language had been added that lots could have no more than 35% paved or used for vehicle area between the front lot line and the front building line.

Planning Consultant Elmiger referred to the document *Paved/Open Space Comparison*, which showed a calculation of how much of a front yard would be paved within different scenarios in both the R-1A and R-1B Districts. Based on these calculations, the proposed limitation of 35% paved area seemed reasonable.

Planning Consultant Elmiger noted that while there was no specific language in the ordinance regarding circular driveways, the proposed language regarding pavement in the front yard, curbing, and impervious cover standards would for the most part prohibit circular driveways except on very large lots, as they would create too much pavement in the front yard.

The proposed language did include options for turn-arounds in the front yard for safety reasons, with the Building Official given flexibility to interpret this part of the ordinance.

A round table discussion followed, including the following points:

- Commissioner Miller agreed with the idea of having a percentage of coverage, leaving it to the homeowner to decide how they wanted to ultimately comply with the requirement. He didn't think circular driveways should be prohibited but they should be on the right type of lot. By allowing a percentage of coverage, circular driveways and other issues were addressed.
- Commissioner Maise asked if circular driveways were allowed in the Historic District. Planning Consultant Elmiger said there had been discussion as to whether or not a circular drive was an appropriate historic element of the District. However, they had been approved. Mayor Pro Tem Allen added that they had been approved because neither the Secretary of the Interior nor the Northville Guidelines addressed circular driveways.
- Commissioner Kirk said the *Paved/Open Space Comparison* chart was ideal for standard lots, but how did it play into corner lots? Planning Consultant Elmiger explained that the new language said that on corner lots only one front yard could be included in the calculation. A homeowner could not use both front yards for the calculation and then put the entire pavement on one front yard.
- Commissioner Kirk said he could see the 35% coverage on 30 or 60-foot lots. What about 120-foot lots? Planning Consultant Elmiger said that the percentage would be the same for all lot sizes: 35%. However, a sliding scale could also be used, with different percentages permitted for differing size lots.
- Commissioner Mowers said one way to resolve the issue for corner lots was to require that the yard be used in which the driveway was placed.
- Commissioner Kirk asked about defining a driveway as not more than 100 feet. There were several homes that had longer driveways than that. Planning Consultant Elmiger said this was an existing definition, and was tied to the City of Northville Manual of Uniform Criteria and Design Standards. The Building Official had the ability to allow a longer driveway based on criteria in the Design Standards. Perhaps the definition in the Ordinance could reference the Design Standards.
- Commissioner Mowers asked if the majority of the definitions in 26.02 were based on the Design Standards. Planning Consultant Elmiger said they were. The only proposed modification to the definitions was the last sentence for *Driveway*: *with a total length of not more than one hundred (100) feet.* This was added to provide consistency between the definitions of common and private driveways.
- Commissioner Mowers wondered if Section 26.02 should state at the beginning that these definitions corresponded to the Design Standards and any questions regarding the definitions should be referred to the Design Standards.

- Planning Consultant Elmiger said that a proposed change in Section 18.18 required that *Residential driveways that access on (1) residential parcel shall conform to the City of Northville Manual of Uniform Criteria and Design Standards for Construction for private driveways*. One possibility was to simply refer to the Design Standards and not give a definition in the Ordinance, or to preface definitions by saying, for instance “As defined in the Design Standards, a residential driveway is . . .”
- Noting that the Manual of Uniform Criteria and Design Standards was last reviewed and approved in 1999, Commissioner Miller wondered if it was time to review that document. He agreed that the Design Standards should be the ultimate criteria for driveway construction.
- Commissioner Maise wondered if simply using the Design Standards opened the City up to challenges, especially if there were some things not covered there.
- Planning Consultant Elmiger said that one possibility was to update the Design Standards and take everything about residential driveways out of the Zoning Ordinance.
- Commissioner Mowers said the Design Standards should be consistent with the Master Plan.
- Planning Consultant Elmiger said the City Council would be interested in the Commission’s recommendations for modifying the Design Standards, along with other ideas being discussed by the Commission. She asked for the Commission’s feedback to the schematic on page 2 of the handout *Residential Driveways – Draft Zoning Text Amendments*. Specifically, was there agreement with the way the schematic illustrated the provision that, *Where non-required parking (or parking in excess of required parking) is also provided on a site, one non-required parking space is allowed within the required front setback if it is located on a driveway and immediately behind a required parking space*.
- Commissioner Maise wondered how residential parking regulations such as that in the schematic could be enforced. People had to park their cars, and their parking needs were different at different times of the day and week. Planning Consultant Elmiger said the whole idea was to prohibit parking other than in the driveway in the front yard. Perhaps people could have as many parking spaces as they could get on their driveway, as long as parked cars were not crossing the sidewalk, etc.
- Commissioner Kirk wondered if this effort didn’t represent over-regulation. What happened during snow emergencies? Commissioner Russell also wondered how parking on circular driveways could be eliminated. Commissioner Mowers said that cars that blocked sidewalks created hazard zones.
- City Manager Sullivan asked if this discussion hadn’t started in an effort to prohibit 2 driveways in the front yard, one that went to the garage and another that was simply used for parking. The proposed language actually did not address this. Commissioner Mielock said the definition of a driveway said nothing about connecting a driveway to a garage. Commissioner Mowers said the definition ought to refer to contiguous surfaces, which would also include circular driveways. The original idea had been to regulate/prohibit parking pads.
- City Manager Sullivan said there were multiple reasons for having more than one driveway. For instance, some properties had garages set back off a rear alley, but also had a driveway in the front yard, providing access to a side or front door. It seemed that the key was to separate the parking pad issue from driveway definitions.
- Commissioner Miller said that for most properties the issue could be handled with some simple rules, simple statements and definitions, and a percentage of impervious surface regulation.
- Building Inspector Strong gave several different examples of paved surfaces in front yards, including wide sections of pavers that served as parking, decoration, and patio area.
- Commissioner Russell asked why the 35% impervious limit had to be limited to just front yards. Why couldn’t this limitation apply to an entire lot? Mayor Pro Tem Allen said if the driveway

were included in the lot coverage, this would encourage people to have the shortest driveway possible by moving their garages toward the front of lots. Building Inspector Strong thought that having 35% landscaped area might be something to consider.

- Commissioner Mielock thought the number of driveways should still be limited, with a possible exception for alleys.
- Regarding the schematic on page, 2, the consensus was the schematic was clear but did not address all possibilities. Commissioner Mowers thought the 35% requirement would address multiple issues. Planning Consultant Elmiger thought perhaps that percentage would have to be increased to 40%. Did the Commission like the idea of prohibiting any paving directly in front of the house?
- It was noted that Commissioner Smith's former home was almost all driveway in the front yard.
- Commissioner Maise said the graphic was good in theory, but did not address the many unique circumstances in the City.
- Commissioner Miller suggested taking a step back. Perhaps Carlisle/Wortman could come up with some guidelines/rules and start there with possible ordinance revisions. However, it did not seem everyone agreed with what was being attempted by the proposed changes.
- Commissioner Russell said he thought there should be one driveway, the width of which could not exceed the footprint of the garage. If there were no garage, the percentage would be used. Planning Consultant Elmiger said that currently there was no required setback for a driveway; it could be wider than the garage footprint.
- Commissioner Mowers said the idea was to find a way to keep people from parking on front lawns. He specifically mentioned parking in front of the Yerkes house adjacent to Northville lumber. City Manager Sullivan said this was commercial parking on a residential lot, already prohibited by ordinance.
- Commissioner Russell pointed out that a permit was not needed to install patio pavers. Building Inspector Strong said that if it was a patio, no permit was needed. Using pavers for a driveway would require a permit.

Planning Consultant Elmiger said she was hearing:

- No auxiliary parking areas
- One driveway per lot
- A side yard setback requirement for a driveway
- Better definition for driveway
- Maybe a little more flexibility in allowing people to use the percentage of impervious surface any way they wanted, as long as it was not directly in front of the house.

Chair Wendt said this should be as simple as possible. Commissioner Kirk agreed, saying that otherwise enforcement would be impossible.

Chair Wendt asked Planning Consultant Elmiger to continue to work on proposed ordinance language, with a charge to keep it as simple as possible.

#### OTHER DISCUSSION:

Commissioner Russell asked Building Inspector Strong to look at Begonia Brothers in terms of sign regulation compliance.

Commissioner Mowers asked about the reworking of Rayson Street. Department of Public Works Director Gallogly said that this project – which involved several streets – would start in late June and should be finished by the end of September.

**8. ADJOURN**

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

**MOTION Kirk, support Maise, to adjourn the Planning Commission meeting at 8:42 p.m.  
Motion carried unanimously.**

Respectfully submitted,  
Cheryl McGuire  
Recording Secretary

Approved as published 5/3/16