

CITY OF NORTHVILLE  
Planning Commission  
October 3, 2017  
Northville City Hall – Council Chambers

**1. CALL TO ORDER:**

Chair Wendt called the meeting to order at 7:00 p.m.

**2. ROLL CALL:**

Present: Steve Kirk  
Ann Smith  
Jeff Snyder  
Donna Tinberg  
Jay Wendt

Absent: Carol Maise (excused)  
Dave Mielock (excused)  
Christopher Miller (excused)  
Mark Russell (unexcused)

Also present: Pat Sullivan, City Manager  
Sally Elmiger, Planning Consultant

**3. APPROVAL OF AGENDA:**

**MOTION by Tinberg, support by Smith, to approve the agenda as published.**

**Motion carried unanimously.**

**4. MINUTES OF PREVIOUS MEETING: September 19, 2017**

**Motion by Kirk, support by Smith, to approve the September 19, 2017 minutes as published.**

**Motion carried unanimously.**

**5. AUDIENCE COMMENTS: None.**

**6. REPORTS:**

**A. CITY ADMINISTRATION:**

City Manager Sullivan reported that at the October 2, 2017 City Council meeting, Council approved a contract for the survey of the Historic District. The survey would look at all the structures in the District and help determine which ones were historically significant and/or were contributing structures. The contract still had to be approved by the State Historic Preservation Office (SHPO), but the City

anticipated that the actual survey work would begin soon. The contract had a completion date of about a year from now.

In response to questions from the Commission, City Manager Sullivan further explained that Historic District boundaries were not being reviewed. SHPO had given the City a grant to do the survey, and would look at the contract in order to review the scope of the work. However SHPO was not actually involved in determining the status of the structures; the City would do that work with the consultant and forward the information to the State when the survey was completed.

Planning Consultant Elmiger further explained that the City received 2 bids after the RFP process, and City Council had approved the contract with historic preservationists The Commonwealth Heritage Group, whose bid had come in under budget. The contract would be forwarded to the SHPO Board, who would review the proposals received and confirm the City's choice.

**B. CITY COUNCIL:** None.

**C. PLANNING COMMISSION:**

Chair Wendt asked for an update on Northville Senior Living's desire to stay in their downtown location. City Manager Sullivan said that he and Planning Consultant Elmiger were in conversation with the City Attorney regarding the City's legal options in this situation, and would be able to report back to the Planning Commission soon.

Commissioner Kirk asked for an update regarding the proposed Corner House at the corner of Cady and Griswold. City Manager Sullivan said that he and Planning Consultant Elmiger had met with a group that was interested in purchasing the entire project.

Discussion followed. The Final Site Plan approval for the Corner House expired in early November. If someone else purchased the approved package but they hadn't closed by the expiration date, would they have to start the whole process over again? City Manager Sullivan said the City would work with a viable developer who wanted to move ahead with the approved plans.

**D. OTHER COMMUNITY/GOVERNMENTAL LIAISONS:** None.

## **7. PUBLIC HEARING PUD PROCESS**

Planning Consultant Elmiger gave the background to this agenda item, which was a public hearing for amended language to the Planned Unit Development (PUD) Ordinance. The proposed language, dated July 10, 2017, was sent to the City Attorney for review, and he had no comments or changes.

Planning Consultant Elmiger explained that the proposed amendments provided a clearer description of the PUD process and eliminated the City Council's review of the Final Site Plan. After receiving the Planning Commission's recommendation, the City Council would approve a PUD and its Preliminary Site Plan. The Planning Commission would then review and approve the Final Site Plan. That change reduced the number of meetings a developer would need to attend for PUD and site plan approval, and eliminated one public hearing at the Council level.

Chair Wendt opened the public hearing at 7:10 p.m. Seeing that no one came forward to speak, Chair Wendt closed the public hearing at 7:11 p.m.

Chair Wendt asked why the wording *and/or vertical* had been eliminated from Section 20.2.c: *Horizontal and/or vertical elevations may be altered by up to five (5) percent*. After discussion, it was the consensus of the Commission to also remove the word *horizontal*, so the section read:

*~~Horizontal and/or vertical~~ elevations may be altered by up to five (5) percent.*

Commissioner Kirk noted that Section 20.2.b. needed to have 2,500 also spelled out: *two thousand five hundred*, so that the paragraph read:

*Square footage of non-residential buildings may be decreased, or increased by up to five (5) percent or ~~ten thousand~~ two thousand five hundred (10,000 2,500) square feet, whichever is smaller.*

City Manager Sullivan asked why the requirement had been changed from 10,000 to 2,500 square feet. He pointed out that the size of developments that might require a PUD, for instance, might be 150,000 or 200,000 square feet, and a 2,500 square foot change would not be a major change. Did the Commission really want to require that the developer return for approval for that size of a deviation from the approved plans?

Planning Consultant Elmiger explained that for smaller projects, 2,500 square feet could be significant. When the Planning Commission discussed this earlier, they had felt a change of 10,000 square feet to be too large to be a minor change. Still, perhaps a compromise would be the 5% requirement, but without calling out a specific square footage.

Commissioner Snyder pointed out that for some projects, such as the Old School renovation, a relatively small expansion could significantly change the project, and this needed to come back to the Commission. The Old School was 90,000 square feet, so if the standard were left at 5% or 10,000 square feet, a 4,500 square foot addition on the south end would not have to return to the Commission for discussion and approval.

Commissioner Snyder added that this had previously been discussed at length. The only properties that might be negatively impacted would be developments in the Foundry Flask and Northville Downs areas. He agreed that for a 150,000 square foot development, 2,500 square feet would be minimal, but for other projects a 2,500 square foot change should come back for approval. Also, there were Commissioners who had opinions about this who weren't here this evening.

City Manager Sullivan said that in the case of a PUD, the Planning Commission had reviewed a site plan over a series of meetings, held a public hearing, determined PUD eligibility, etc. Still, during the actual construction process the developers might discover that they had a floor plan issue and would have to move a wall of a building, but because they were only allowed a 2,500 square foot deviation they would have to first come back to the Planning Commission.

Commissioner Snyder argued that the entire PUD process included public input, and after getting that input it would be difficult to allow 10,000 square feet of additional construction even on a large area such as Foundry Flask, especially when this could impact people who lived close to the construction site. He thought the original decision to reduce the requirement to 2,500 square feet was unanimous.

Commissioner Kirk suggested having a threshold for using a different requirement, i.e., a development over 50,000 square feet, for instance.

Planning Consultant Elmiger said while that might make sense, adding a threshold would be a substantial change in the proposed amendment, and would probably require re-noticing the public hearing.

Commissioner Kirk said in that case, he would support leaving the language as presented at this time.

Commissioner Snyder said he might feel differently if a development at one of the large parcels was imminent, but since that was not the case, he also supported leaving the proposed language as presented.

In response to a question from Chair Wendt, Planning Consultant Elmiger said that if the City Council made changes in the language, those changes might not necessarily come back to the Commission. However, substantial changes would require another public hearing.

Chair Wendt indicated he was ready for a motion.

**MOTION by Kirk, support by Snyder, that the Planning Commission recommend approval to City Council the changes in Article 20 Planned Unit Development as presented this evening, with corrections as noted.**

Chair Wendt asked for a roll call vote.

<b>Snyder</b>	<b>yes</b>
<b>Kirk</b>	<b>yes</b>
<b>Smith</b>	<b>yes</b>
<b>Tinberg</b>	<b>yes</b>
<b>Wendt</b>	<b>yes</b>

**Therefore the motion carried unanimously.**

## **8. DISCUSSION**

### MASTER PLAN AMENDMENTS

Planning Consultant Elmiger gave the background for this discussion item, explaining that City Council had requested that the Planning Commission look into the prohibitions of first floor residential in some portions of the Cady Street Overlay District. As discussed at the last meeting, several developers had talked about redevelopment at the Foundry Flask property, but the prohibition of first floor residential had been an impediment to redeveloping this property.

Since the Master Plan specifically included no first floor residential in the PR-1 District, in order to address this issue the Master Plan would need to be updated before any changes could be made to the Zoning Ordinance, as the Zoning Ordinance must be consistent with the Master Plan.

The information presented this evening also looked at residential development and density downtown. Currently there was no guidance in the Master Plan regarding density there.

Planning Consultant Elmiger said they had looked at two documents that were created after the current Master Plan was adopted. The first document was the Residential Market Study, which was completed before and informed the second document, the Downtown Strategic Plan.

The Residential Market Analysis called for encouraging more attached units like townhouses, rowhouses, stacked flats and residential above retail. Additionally, it encouraged new units in mixed-use projects. The Analysis also said that Northville could accommodate between 29-50 new attached units annually throughout the City.

The Downtown Strategic Plan also talked about adding more attached units and upper story apartments, and suggested allowing a density bonus of a 4-story development in the PR-1 Zoning District along Cady Street, which was the Foundry Flask property. It also suggested incentives for developers who used green technologies in their buildings, such as green roofs, or who provided affordable housing units as part of their project.

Planning Consultant Elmiger said that in order to generate discussion, she had provided draft language to:

- 1) Consider eliminating the prohibition of first floor residential for properties in the PR-1 District.
- 2) Specifically state that the City could consider incentives for mixed-use projects that had commercial or office on the first floor, and residential above.
- 3) Offer an approach to determine the desirable residential density in the downtown, using the existing setbacks and height and other District requirements to limit the amount of development that could happen on a site and that would also limit residential density. This same approach was used in the Central Business District-Overlay area on North Center Street.

The Master Plan did seem to encourage attached residential building types like townhouses, as the Plan had some pretty high densities along the Cady Street corridor that seemed to require attached units.

Planning Consultant Elmiger noted that the Commission should have 3 documents, with proposed new language in red:

- 1) Cady Town-Cady Street Sub Area Plan from the Master Plan.
- 2) Master Plan Goals for the downtown area, with proposed language on page 39.
- 3) Additional descriptions of residential units in the downtown core, pages 58-61, with proposed language on page 61.

Commissioner Kirk asked if these changes would impact other areas, such as North Center. Planning Consultant Elmiger said that only the Cady Street and Downtown Core areas would be affected. The Downtown Core began where Main Street curved on the east and ended with Wing Street on the west, but also included the Garage Restaurant on the north side.

Planning Consultant Elmiger suggested discussing the 3 items one at a time, starting with eliminating the prohibition of first floor residential for properties in the PR-1 District.

Chair Wendt was concerned that they were changing something that had been thoroughly discussed in 2014, for the sake of one property or one developer.

Planning Consultant Elmiger explained that originally the Planning Commission had wanted first floor residential, and it had been City Council that changed that. Now the Council was requesting the Planning Commission look at this again with an eye to returning to their original recommendation. The City had three developers express interest in the Foundry Flask area, and all said they could not redevelop that property by putting as much commercial on the first floor as the property could accommodate.

The Foundry Flask property was a 4-acre piece. The Strategic Plan said 50,000 square feet of retail could be added over the next 10 years, and Foundry Flask could accommodate all of that if they were required

to put commercial on the first floor. Having all the new commercial development centered on that one property was probably not a good thing, especially as another goal of the Master Plan was not having other areas compete with the downtown business area.

Commissioner Snyder said he didn't see a market for that much commercial in the Foundry Flask either. Commissioner Kirk agreed.

City Manager Sullivan pointed out that the change would not prohibit mixed use; an incentive could still be offered if a developer wanted to do that. The proposed change would simply allow first floor residential if that was something a developer thought they could do.

Planning Consultant Elmiger added that the change in the Master Plan was a basis for a possible change to the Zoning Ordinance, which could include more specific details that the Commission might want to zero in on. The proposed change would open up some possibilities for zoning that were not possible with the current strict language of the Master Plan.

Commissioner Kirk asked if 4 stories would be allowed. Planning Consultant Elmiger said the Downtown Strategic Plan suggested 4 stories, with creative mixed use.

Commissioner Snyder said that originally the Commission wanted 3 stories, and the Council raised it to 4 stories. Chair Wendt agreed, saying the Commission had wanted to have a calming effect as they went along Cady Street.

Commissioner Snyder said that a 4-story development would require a lot of parking, especially with commercial on the first floor and residential above. City Manager Sullivan agreed, but also pointed out that any development of this area would likely come in the form of a PUD, because of the unique site characteristics. Density and height could be negotiated during the PUD review process.

Planning Consultant Elmiger noted the proposed language read: *The City may consider zoning incentives, such as height or density bonuses, in exchange for mixed-use developments which offer first-floor commercial/retail/office and upper level residential, as well as community benefits, historic preservation or environmental enhancement.* The language would support a PUD deviation of higher than 3 stories. If the Commission wasn't completely sold on allowing 4 stories in the Master Plan, the language just read might suffice to allow that within a PUD.

Commissioner Snyder said he supported offering some flexibility, but he would never be in favor of 4 stories in that area. Commissioner Kirk agreed, noting that with the Village Workshop right there with its 3 stories, there was already limited sight distance, which would be exacerbated by a new 4-story building.

Commissioner Snyder asked if developers were aware of the sewer running through the Foundry Flask property. He assumed parking would be put over the sewer.

City Manager Sullivan noted the challenges of the site included environmental contamination and the location of the sewer.

Planning Consultant Elmiger emphasized the importance of offering flexibility for different options and combinations.

Chair Wendt reviewed the Master Plan process from 2014, which had been lengthy and thoughtful. City Manager Sullivan reiterated that in 2014 the Commission had recommended first floor residential for the site. It had been City Council that changed that.

Commissioner Snyder was in favor of first floor residential and a 3-story cap. Commissioner Kirk agreed.

Planning Consultant Elmiger pointed out the proposed language read: *First floor and upper level residential ~~is~~ are acceptable in this area.* This language and other new language clarified when a higher density bonus might be acceptable, either for first floor commercial or office and upper level residential.

Commissioner Smith agreed, and said that language that was too restricted disallowed creativity.

Commissioner Snyder noted that City Council had authority to override the Planning Commission, especially in terms of offering a tax abatement, or finding other types of creative funding. He was in favor of the changes as discussed.

Planning Consultant Elmiger reviewed the proposed language on page 39 of the Master Plan, which related to the Downtown Core:

*Encourage renovation and re-development of upper floor residential units in the downtown as a secondary use that supports the economic viability of this commercial district. Density of residential units shall be governed by the minimum unit size for multiple-family structures, and the zoning requirements of the downtown core.*

Planning Consultant Elmiger explained that this language supported the primary intent of the downtown core to provide commercial services, with residential above the commercial spaces. That is, the City didn't want a developer to come into the downtown area and tear down one of the commercial buildings in order to put up townhouses. The City wanted residences close by to support the commercial operations, but the main purpose of the downtown was to be a commercial center.

The second thing the changes supported was basing density on the minimum unit size for multiple-family structures and the zoning requirements of the downtown core, including setbacks, lot coverage, etc. So essentially the size of the lot would determine how many units could be included on a property, along with parking and other requirements.

Commissioner Snyder asked if *encourage* meant such things as tax incentives. Planning Consultant Elmiger explained that from a planning and zoning perspective, the City wanted to ensure that residential units were a permitted use in the Downtown District, but only on the upper floors.

Commissioner Snyder asked if the language was to encourage renovation and redevelopment, or was it talking about existing structures? Planning Consultant Elmiger said it was referring to existing structures. Commissioner Snyder thought that should be made explicit.

Planning Consultant Elmiger suggested changing the wording to: *existing upper floor residential . . .*

Commissioner Kirk wondered if hotels would be allowed downtown. City Manager Sullivan said hotels were allowed, and the Strategic Plan encouraged a boutique-type hotel in the downtown. Commissioner Kirk noted that the Foundry Flask redevelopment could also include a hotel.

A discussion of minimum unit sizes for multiple family structures followed. Planning Consultant Elmiger directed the Commission’s attention to Article 15.01, fn 15, which listed square foot minimums for studio, one and two-bedroom units, etc.

Chair Wendt noted that anything in the downtown area would have to be approved by the Historic District Commission.

The consensus of the Commission was to accept the proposed language on page 39.

Planning Consultant Elmiger said the 3<sup>rd</sup> change was on page 61, with the final bullet point reading: *Promote the continued use and development of existing upper level residential units within a mixed-use commercial setting. Density of residential units shall be governed by the minimum unit size for multiple-family structures, and the zoning requirements of the downtown area.*

Essentially this reiterated the language already discussed, again with the addition of *existing* before *upper level residential* . . .

Commissioner Kirk asked how a nursing home or elder care would fit in this area. Planning Consultant Elmiger said that was not addressed, and it was not yet clear where senior living fell within the downtown area or if it was allowed at all. Currently the Master Plan did not address senior living.

Brief discussion was held regarding whether the existing requirements for square footage for multiple family structures should be re-examined to allow either senior housing or even just to see if it was in line with what was currently being offered in the marketplace. Area requirements could be modified in the zoning ordinance.

Chair Wendt indicated he was ready for a motion.

Planning Consultant Elmiger reviewed the requirements of the State Enabling Act for updating the Master Plan. If the City Council agreed with the proposed changes, they would approve the changes for distribution to neighboring cities, who would have 42 days to review and comment on those changes. The Planning Commission would then decide whether or not to incorporate any of the comments that came back and schedule a public hearing, after which it would go back to the City Council for final approval.

**MOTION by Snyder, support by Smith, that the Planning Commission recommend to City Council that they approve the amendments to the 2014 Master Plan as outlined tonight, with the 2 corrections to add the word “existing” as noted, for distribution as required by the State Enabling Act.**

Chair Wendt called for a roll call vote:

<b>Snyder</b>	<b>yes</b>
<b>Kirk</b>	<b>yes</b>
<b>Smith</b>	<b>yes</b>
<b>Tinberg</b>	<b>yes</b>
<b>Wendt</b>	<b>yes</b>

**Therefore the motion carried unanimously.**

## MISCELLANEOUS ORDINANCE AMENDMENTS

Planning Consultant Elmiger explained that draft language had been provided for various ordinance changes that had been requested by City staff or the Planning Commission in the past few months.

Section 11.03.q, General Commercial District, Special Land Uses, to be changed as follows:

*Other uses of the same nature, ~~or~~ class, or general character as those listed as either a Principal Use or Special Land Use in this district which, as determined by the Planning Commission, ~~are~~ no more obnoxious or detrimental to the surrounding area than those listed meet the standards of Section 16.01(d). Basis of Determinations, for special land uses.*

The consensus of the Commission was that this language was acceptable.

Section 16.01, Special Land Use Process and Section 16.15, Mineral Mining and Extraction Operations.

Planning Consultant Elmiger explained the City Clerk discovered that this section said that the Clerk was the person who received Special Land Use applications; this should be changed to say the Building Department. Additionally a slight modification was made that if a permit was issued and it was later suspended or revoked, as in other portions of the ordinance the Planning Commission had to see the revisions.

The consensus of the Commission was that this language was acceptable.

Section 18.09, Fences (residential).

Planning Consultant Elmiger said the proposed changes in this section came from a request from the Building Official, after several requests for privacy fences were received from people living on busy roads, specifically where their back yards abutted the busy roads. The changes would apply to Eight-Mile Road, Beck Road, Taft Road, Novi Road, and Seven-Mile/Edward Hines Drive. Residents wanted privacy fences along those busy roads, but because those back yards were considered front yards abutting a street, they couldn't have 6-foot high fences. The language named the streets specifically where a resident could have a privacy fence in their rear yard that abutted a busy street, so they could have such a fence without seeking a variance.

Discussion followed:

- Would side yards that abutted busy streets be included in this change? Any yard that faced a street would be considered a front yard. What about side yards that faced local residential streets where one yard abutted a busy street? Some homes whose rear yards faced a busy street actually had 3 front yards, with two of those yards facing a local residential street.
- There would likely be sidewalks abutting those streets.
- Fences could not impede a line of vision.
- Commissioner Snyder was unsure about automatically allowing a 6-foot fence on a local residential street.
- Commissioner Kirk wondered about other busy streets, including Northville, Sheldon, Griswold and Randolph. What would the criteria be? Speed? Traffic?

The consensus of the Commission was to postpone action on this change to allow further discussion and until further information could be provided, including aerial photographs of some of the properties in question, and until the Building Official could be present.

Section 18.14. Condominium Development Standards.

Planning Consultant Elmiger explained that the present language required condominium developers to bring in their final condominium documents and bylaws with their final site plan. The new language allowed them to bring in draft condominium and master deed documents for review and comment by the City Attorney. The Planning Commission would be able to approve a Final Site Plan with the condition that the documents be acceptable to the City Attorney.

The consensus of the Commission was that this language was acceptable.

Section 25.04. Board of Zoning Appeals Powers and Duties, Temporary Uses.

Planning Consultant Elmiger explained that current ordinance language required that the Planning Commission review and comment on any proposals for temporary uses, before those proposals went before the Board of Zoning Appeals. The last time this occurred, several commissioners commented that they would like to see this changed so that the proposals went directly to the BZA, without Planning Commission review and comment.

Discussion followed.

- Commissioner Kirk thought having the Commission's comments in the minutes was a good thing.
- Temporary uses did not require a site plan in order to get approval from the BZA.
- Temporary uses could be permitted for up to 12 months.
- The BZA would not necessarily be familiar with site plan requirements such as parking, light regulations, etc. Planning Commission comments could be very helpful in those instances, though the Planning Consultant's review comments would also include a review of site plan standards when appropriate.

Chair Wendt said he thought the Planning Commission should review and make comments. Commissioner Kirk agreed.

Planning Consultant Elmiger noted that at least one BZA member wanted the Commission's opinion in the form of a formal motion.

City Manager Sullivan wondered if temporary uses should be the purview of the Planning Commission, and not the BZA. Planning Consultant Elmiger said she would review the Zoning Enabling Act for direction in that regard.

It was the consensus of the Commission to postpone a decision on this item until more Commissioners were present.

Chair Wendt suggested acting tonight on the 3 items the Commission wanted to set for public hearing, but also waiting until the Commission discussed the other 2 items before actually setting the public hearing.

**MOTION by Kirk, support by Snyder, that the Planning Commission set the changes in the following sections for public hearing:**

- 1) Section 11.03. General Commercial District, Special Land Uses.**
- 2) Section 16.01, Special Land Use Process and Section 16.14, Mineral Mining and Extraction Operations.**
- 3) Section 18.14, Condominium Development Standards**

**Further, the date of the public hearing will be set after additional discussion at a future meeting of other ordinance changes as discussed this evening, including Section 18.09 Fences (Residential) and Section 25.04, Board of Zoning Appeals Powers and Duties, Temporary Uses.**

Chair Wendt called for a roll call vote:

<b>Snyder</b>	<b>yes</b>
<b>Kirk</b>	<b>yes</b>
<b>Smith</b>	<b>yes</b>
<b>Tinberg</b>	<b>yes</b>
<b>Wendt</b>	<b>yes</b>

**Therefore the motion carried unanimously.**

**9. ADJOURN**

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

**MOTION by Kirk, support by Smith, to adjourn the Planning Commission meeting at 8:31 p.m.**

**Motion carried unanimously.**

Respectfully submitted,  
Cheryl McGuire  
Recording Secretary

Approved as published 11/07/2017